OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 2, 1990

CITY COUNCIL ROOMS

Lansing, Michigan

Federal Judge Robert Holmes Bell, U. S. District Court Judge of the Western District of Michigan, conducted the swearing-in ceremonies of City of Lansing elected officials—Mayor Terry McKane; City Clerk James D. Blair; Councilmembers-at-Large Lucile Belen and James Crawford; Second Ward Councilmember Alfreda Schmidt, and Fourth Ward Councilmember Charles Ford.

The meeting was called to order by City Clerk Blair.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Clerk announced that a quorum of the Council was present.

The Invocation and Pledge of Allegiance was given by Tony Benavides.

By Councilmember Lindemann:

That the Council proceedings for December 11 and 18, 1989 be approved.

Adopted unamimously.

By Councilmember Lindemann:

That we suspend the rules for the following resolution for appointment of President and Vice-President of City Council.

Carried.

Resolution #1
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Section 3-102 of the City Charter requires the City Council to organize each year at its first regularly scheduled meeting in January by selecting a President and a Vice-President to each serve a one-year term;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby selects Lucile E. Belen to serve as President during calendar year 1990; and

BE IT FURTHER RESOLVED the City Council hereby selects Louis F. Adado to serve as Vice-President during calendar year 1990.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Councilmember Belen assumed the role of President of City Council.

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

No persons spoke

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been presented for licenses:

PUBLIC DRIVERS: John M. LaPoint, Patricia Lynn Artemis, Michael B. Zahner, Bruce A. Welton, Anna M. Castle, Charles E. Stephenson

BUILDING WRECKER: Pitsch Wrecking Co.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter of thanks for participation and support of the Holiday Open House received from the Convention/Visitors Bureau of Greater Lansing.

RECEIVED AND FILED

3. Letters received appealing the decision of the Claims Review Committee:

a. Lt. Roger Weber, Lansing Fire Dept., for replacement of lost hearing aid at a house fire.
b. Rodney Marolf, 6229 Hilliard Rd., for damages due to sewer system blockage.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND CITY ATTORNEY

4. Michigan Department of Liquor Control submits:

a. Request from LHF, Inc., for a new Dance-Entertainment Permit to be held in conjunction with a 1989 Class C licensed business at 108 S. Washington Ave.

REFERRED TO THE CITY CLERK

b. Notice of cancellation for application to transfer ownership of 1985 Class C and SDM licensed business (in escrow) with Sunday Sales, and Dance permit for business at 1203 S. Washington.

REFERRED TO THE CITY CLERK

5. Letter from Charles F. Young, Ingham County Deputy Controller, offering quit claim deed to property in vicinity of 5828-6006 S. Pennsylvania Ave.

REFERRED TO THE MAYOR

6. Letters regarding pre-funded health care for retirees received from:

a. Barb Garlock

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b. Ruth E. Meckes

REFERRED TO THE MAYOR AND
COMMITTEE ON WAYS AND MEANS

7. MI Department of Natural Resources submits public notice that the City of Lansing has applied for a permit to place fill and extend culvert in the floodplain for the widening of Jolly Road.

RECEIVED AND FILED

8. MI Public Service Commission submits notice of hearing in the matter of the application of Consumers Power Co. for certain relief under Act 304 related to a power purchase agreement in connection with the Palisades Nuclear Plant.

RECEIVED AND FILED

REMARKS BY THE MAYOR:

Mayor McKane presented his wife, Virginia, and children, John and Katie and thanked his parents, in-laws, voters, staff and contributors who helped in his re-election.

Cleophus Boyd, Mayor's Executive Assistant, spoke regarding the Mayor's letter 1b (Resignation of Russell H. Galvin as City Assessor) and remarked on the fine job Mr. Galvin had performed for the city during the past four years.

REPORTS OF CITY OFFICERS AND BOARDS

TO: Members of City Council
FROM: Terry J. McKane, Mayor
DATE: December 28, 1989
SUBJ: Public Improvement II—S. Cedar Beautification

The attached request and recommendation is submitted with my concurrence for your review and appropriate action.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

TO: Members of City Council
FROM: Terry J. McKane, Mayor
DATE: December 28, 1989
SUBJ: Resignation Letter from Russell H. Galvin, Assessor for the City of Lansing

The attached letter is being submitted for your information.

RECEIVED AND FILED

COMMITTEE REPORTS

The Committee on General Services:

To whom was referred the following applications and bonds

PUBLIC DRIVERS: John M. LaPoint, Patricia Lynn Artemis, Michael B. Zahner, Bruce A. Welton, Anna M. Castle, Charles E. Stephenson

BUILDING WRECKER: Pitsch Wrecking Co.

Reports as follows: That said applications be approved.

SIGNED: Louis F. Adado
Sidney P. Worthington
Alfreda Schmidt
Committee on General Services

By Councilmember Adado:

That the report of the Committee be approved.

APPROVED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

RESOLUTIONS

Resolution #2
By Councilmember Worthington:

RESOLUTION

RESOLVED, by the City Council of the City of Lansing

THAT the City of Lansing hereby supports and encourages the Board of Ingham County Road Commissioners' efforts in actively seeking State and/or Federal participation in the replacement of the Kalamazoo Street Bridge over the Red Cedar River (Bridge Number B-01-11502); and

BE IT FURTHER RESOLVED that the City of Lansing concurs that this widening and replacement of the Kalamazoo Street Bridge is urgently needed.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #3
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 29, 1990 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of hearing comment opposing and/or approving the Special Land Use for SLU-14-89—Six Parcels at the Southeast Corner of Pine and Lenawee Street for use as parking lot.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

By Councilmembers Lindemann and Schmidt:

Resolved by the City Council of the City of Lansing that Council rule #11 be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter of concern regarding the salting of streets received from Bryan S. Halter, Jr., 539 N. Dexter Drive.

REFERRED TO THE MAYOR

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REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

Cleophus Boyd spoke of the trash pickup being a day later this week for each pickup and announced no bulk pick-up December 29 to March 5, 1990.

REMARKS BY COUNCILMEMBERS:

Councilmember Lindemann spoke of automobiles parking all night at the dead-end of Rumsey Street.
Councilmembers Crawford and Ford introduced members of their families and friends in the audience.
Councilmember Schmidt thanked all for their support in the election.
Councilmember Belen thanked councilmembers for their support in electing her as President.

BY COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned.

Carried.

Council adjourned at 7:50 P.M.

JAMES D. BLAIR
CITY CLERK

LANSING, MICHIGAN

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 8, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
January 8, 1990

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance was given by Councilmember Benavides.

PUBLIC HEARINGS

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the make-safe or demolition of property located at 917 Clyde Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they would have the privilege of speaking at this time.

Shirley Roe, owner of 917 Clyde Street, spoke regarding problems she was having with the Building Department.

Clyde Spade, who resides at 919 Clyde Street, spoke regarding condition of 917 Clyde Street.

Both were asked to attend the Public Services Committee meeting next week regarding 917 Clyde Street.

REFERRED TO PUBLIC SERVICES COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the make-safe or demolition of property located at 2326 W. Jolly Road.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they would have the privilege of speaking at this time.

No speakers.

REFERRED TO PUBLIC SERVICES COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the make-safe or demolition of property located at 5424 S. Logan Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they would have the privilege of speaking at this time.

No speakers.

REFERRED TO PUBLIC SERVICES COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the make-safe or demolition of property located at 5927 Piper Road.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they would have the privilege of speaking at this time.

No speakers.

REFERRED TO PUBLIC SERVICES COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the make-safe or demolition of property located at 1565 Roosevelt Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they would have the privilege of speaking at this time.

No speakers.

REFERRED TO PUBLIC SERVICES COMMITTEE

HEARINGS ON PROPOSED CHANGE IN ZONING CLASSIFICATION

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, as amended, said proposed amendment being as follows:

That the property described as Z-21-89—1400 Block of East Miller Road—to be rezoned from "DM-3" Residential District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code, they had the privilege of speaking at this time.

John Peckham of Martin Properties spoke in favor of rezoning.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, as amended, said proposed amendment being as follows:

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That the property described as Z-22-89—3133 South Cedar Street—to be rezoned from "F" Commercial and "J" Parking District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code, they had the privilege of speaking at this time.

Fred McLaughlin of 727 N. Capitol Avenue Architect was present to answer any questions regarding Z-22-89. No questions were asked.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the proposed Ordinance to amend Part 2, Chapter 294, Section 294.02, by amending subsection 294.02 (r), to provide for the advance funding of post-retirement health insurance benefits; to establish a members' benefit fund; to establish a health insurance fund with a startup subaccount; to allocate surplus funds from the retirement fund to said newly established funds; to provide for future city contributions to the health insurance fund; and to make technical changes to eliminate certain unnecessary transfers.

The Council President announced that if anyone was present who had any suggestions or objections to make to the proposed ordinance amendment, they had the privilege of speaking at this time.

Many retired City Employees were present. Raymond Brethauer spoke in favor of advance funding for health care.

REFERRED TO WAYS AND MEANS COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the proposed Ordinance to amend Part 2, Chapter 292, by amending Sections 292.36 and 292.37, adding new Sections 292.38 and 292.39, and renumbering existing Sections 292.38 through 292.48 as Sections 292.40 through 292.50, respectively, to provide for the advance funding of post-retirement health insurance benefits; to establish a members' benefit fund; to establish a health insurance fund with a startup subaccount; to allocate surplus funds from the retirement reserve fund to said newly established funds, to provide for future city contributions to the health insurance fund; and to make technical changes to eliminate certain unnecessary transfers.

The Council President announced that if anyone was present who had any suggestions or objections to make to the proposed ordinance amendment, they had the privilege of speaking at this time.

No speakers.

REFERRED TO WAYS AND MEANS COMMITTEE

January 8, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall being the time set for holding a public hearing on the proposed Project Plan and Issuance of Limited Obligation Revenue Bonds for the Boys and Girls Club of Lansing EDC Project.

The Council President announced that if anyone was present who had any suggestions or objections to make to the proposed Project Plan and Issuance of Limited Obligation Revenue Bonds, they had the privilege of speaking at this time.

No speakers.

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

No speakers.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

PUBLIC DRIVERS: David W. Baney
Harold D. Cole
Chris A. Funnell
Kevin S. Klein
Billy B. McClain
Richard D. Cisler

CABARET: Sammy's Resturant & Lounge

GENERAL SERVICES

2. Letter from Michigan Municipal League announcing the National League of Cities (NLC) Congressional-City Conference in Washington, D. C. on March 3 to March 6, 1990.

REFERRED TO COMMITTEE OF THE WHOLE

3. Liquor Control Commission submits application for a transfer of ownership of 1989 SDD-SDM licensed business located at 800 W. Mt. Hope Avenue from Louis N. Hufnagel to Fawaz Fawaz Fawaz, 3215 S. Cambridge Road.

REFERRED TO THE CITY CLERK

4. Letter from Attorney Harvey J. Hoffman regarding property owned by James Crews at 3207 Ingham Street.

REFERRED TO CITY ATTORNEY AND PUBLIC SERVICES COMMITTEE

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Boyd reviewed the Mayor's letters A through H.

REPORTS OF CITY OFFICERS AND BOARDS

January 5, 1990
Honorable City Councilmembers and Mayor McKane
Lansing, Michigan

Dear Colleagues and Mayor,

Council Committee Assignments for calendar year 1990 are as follows:

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WAYS AND MEANS:
Benavides, Chair
Adado, Vice-Chair
Crawford, Member

PHYSICAL DEVELOPMENT:
Worthington, Chair
Belen, Vice-Chair
Benavides, Member

PUBLIC SAFETY:
Crawford, Chair
Schmidt, Vice-Chair
Ford, Member

PUBLIC SERVICES:
Lindemann, Chair
Schmidt, Vice-Chair
Ford, Member

ECONOMIC DEVELOPMENT:
Adado, Chair
Belen, Vice-Chair
Crawford, Member

GENERAL SERVICES:
Schmidt, Chair
Worthington, Vice-Chair
Lindemann, Member

INTERGOVERNMENTAL RELATIONS:
Ford, Chair
Belen, Vice-Chair
Schmidt, Member

SPECIAL AD HOC COMMITTEES:

Lansing Tri-County Employment & Training—
Schmidt, Ford and Lindemann

Tri-County Aging Consortium—
Schmidt, Adado and Benavides

Tri-County Regional Planning Commission—
Crawford, Benavides, Belen

Police & Fire/Employee Retirement Boards—
Benavides

Tri-County Metro Board of Directors—
Crawford, Schmidt, Ford

I look forward to working with you in a positive and productive manner.

Sincerely,
LUCILE BELEN
COUNCIL PRESIDENT

RECEIVED AND PLACED ON FILE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 3, 1990
SUBJ: Letter from Janet M. Sparks re: Lansing Police Helicopter

RECEIVED AND PLACED ON FILE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 3, 1990
SUBJ: Memo from Lansing Police Department re: Jobs Well Done by K-9 Officers

RECEIVED AND PLACED ON FILE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 3, 1990
SUBJ: Letter from George and Bertha Osmer

RECEIVED AND PLACED ON FILE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 4, 1990
SUBJ: SLU-16-89, 521 Lincoln Avenue—
Planning Board recommendation

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 4, 1990
SUBJ: Transfer of Funds

REFERRED TO WAYS AND MEANS COMMITTEE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 4, 1990
SUBJ: Resignation of Alice Wieland from City Planning Board

RECEIVED AND PLACED ON FILE

January 4, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the reappointment of Nevenka Dines to the Greater Lansing Convention/Exhibition Authority Board. This term will expire December, 1993.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane
Mayor

By Councilmember Lindemann:

That we concur in the recommendation of the Mayor for the reappointment of Nevenka Dines to the Greater Lansing Convention/Exhibition Authority Board.

Carried Unanimously 8/0

January 4, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the

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reappointment of Douglas Griffith to the Greater Lansing Convention/Exhibition Authority Board. This term will expire December, 1993.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane
Mayor

By Councilmember Lindemann:

That we concur in the recommendation of the Mayor for the reappointment of Douglas Griffith to the Greater Lansing Convention/Exhibition Authority Board.

Carried Unanimously 8/0

Council President Lucile E. Belen and
Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear President Belen and Councilmembers:

During the fourth quarter of 1989, the Controller's Office made sole source procurements over $10,000. The names of the firms involved and the prices the contracts were awarded are as follows:

Zimpro	$37,460.00
Dresser Pump	11,900.00
J.O. Galloup	15,000.00
Envirex Inc.	20,010.00
McNamee, Porter & Seeley	100,400.00
Hamlett Engineering	21,411.00
Granger Waste Management	973,500.00
Traffic Safety Control System	15,408.00
R.P. Lewis	17,953,73

Additional information pertaining to these purchases are attached for your information.

This letter is filed as per the Purchasing Ordinance Section 206.05 (a) and (b).

Sincerely,
Terry J. McKane
Mayor

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

By the Committe on General Services:

to whom was referred the following applications and bonds:

PUBLIC DRIVERS AND CABARET

reports as follows: That said applications be approved.

SIGNED,

Committee on General Services

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

January 4, 1990
Mr. James Blair, Lansing City Clerk
Ninth Floor—City Hall
Lansing, MI 48933

Re: Economic Development Corporation, City of Lansing
Report on Financial Statements, Year Ended June 30, 1989

Dear Mr. Blair:

Attached please find the Economic Development Corporation of the City of Lansing Report on Financial Statements Year ended June 30, 1989 to be placed on file with your office. This Audit Report was approved by the EDC Board of Directors at their monthly meeting on January 3, 1990.

Sincerely yours,

ECONOMIC DEVELOPMENT CORPORATION
OF THE CITY OF LANSING

Emerson B. Ohl
Executive Director

RECEIVED AND PLACED ON FILE

January 4, 1990
Mr. James Blair, Lansing City Clerk
Ninth Floor—City Hall
Lansing, MI 48933

Re: Lansing Hospital Finance Authority
Report on Financial Statements, Year Ended June 30, 1989

Dear Mr. Blair:

Attached please find the Lansing Hospital Finance Authority Report on Financial Statements Year ended June 30, 1989 to be placed on file with your office. This Audit Report was approved by the LHFA Board of Commissioners at their monthly meeting on January 3, 1990.

Sincerely yours,

LANSING HOSPITAL FINANCE AUTHORITY

Emerson B. Ohl
Secretary/Treasurer

RECEIVED AND PLACED ON FILE

January 4, 1990
Mr. James Blair, Lansing City Clerk
Ninth Floor—City Hall
Lansing, MI 48933

Re: Tax Increment Finance Authority, City of Lansing
Report on Financial Statements, Year Ended June 30, 1989

Dear Mr. Blair:

Attached please find the Tax Increment Finance Authority of the City of Lansing Report on Financial Statements Year ended June 30, 1989 to be placed on file with your office. This Audit Report was approved by the TIFA Board of Directors at their monthly meeting on January 3, 1990.

Sincerely yours,

TAX INCREMENT FINANCE AUTHORITY
OF THE CITY OF LANSING

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Emerson B. Ohl
Secretary

RECEIVED AND PLACED ON FILE

RESOLUTIONS

Resolution #4
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing will conduct its annual Dr. Martin Luther King, Jr., Holiday Observance on Friday, January 12, 1990, from 12 noon to 1 P.M., in the 10th Floor Council Chambers of City Hall; and

WHEREAS, the theme of this year's observance, based on quotations by Dr. King that addressed issues of his time that remain with us today, is "Living the Dream through Love, Peace, Brotherhood, and Economic Freedom;" and

WHEREAS, the Federal Act that established Dr. King's birthday as a national holiday suggests that this day be used as "a time for Americans to reflect on the principles of racial equality and nonviolent social change espoused by Martin Luther King, Jr.";

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes Dr. King's life as an example of commitment to the highest ideals worthy of emulation by all generations; and

BE IT FURTHER RESOLVED the Council urges all Citizens of Lansing to work together to foster love, peace, brotherhood, and economic freedom in our community, in our country, and in our world.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

RESOLUTION #5
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council ordered on the dates listed below, public improvements in the form of sidewalk repairs or construction be made pursuant to Public Service Contracts in front of and adjacent to properties located on the streets in the City of Lansing;

WHEREAS, the sidewalk construction and repairs under said public improvement contracts were commenced on or about the date listed below and completed on the date as listed in accordance with the special assessment ordinances for sidewalk improvements; and

		RESOLUTION	CONSTRUCTION DATES	
CONTRACT #	ROLL	DATE	START	COMPLETE
PS 37046	B-25	06/01/87	08/19/87	07/12/88
PS 36225	B-22	07/28/86	05/01/87	07/30/87
PS 77078	B-24	03/27/87	06/17/87	09/02/87
PS 14122	B-26	09/21/87	04/27/88	06/17/88
PS 16054	B-27	05/16/88	05/16/88	11/22/88
PS 76126	B-40	08/24/87	06/01/88	08/30/88

WHEREAS, the City Assessor has prepared the assessment roll for each property to be assessed for said sidewalk construction and repair improvement and has caused said assessment rolls to be placed on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, January 29, 1990, at 7:00 P.M., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, to review, prior to confirmation, said special assessment rolls for sidewalk construction and repairs.

BE IT FURTHER RESOLVED that the City Clerk is hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin board located on the First Floor of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner, respectively, for each of the properties adjacent to or in front of which such sidewalk improvement was made. Copies of said rolls shall be available in the City Assessor's Office, Third Floor of City Hall, and the Public Service Department, Seventh Floor of City Hall for review.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT:None

Resolution #6
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Council Rule 46 specifies that each member of Council shall have a permanently assigned parking space in the basement of City Hall; and

WHEREAS, congestion in the basement parking area has caused frequent problems for Councilmembers attempting to enter or leave their assigned spaces; and

WHEREAS, the Administration is currently discussing possible reallocation of parking spaces in the basement to solve the congestion problem;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby advises the Mayor that Members desire to keep the Council parking area as is; and

BE IT FURTHER RESOLVED the Council requests that the Mayor

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develop a basement parking allocation plan that will prevent vehicles from parking in aisles and blocking Councilmembers' assigned spaces.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Resolution #7
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Council Rule 17 requires the City Council to specify its standing committees by resolution each January for the coming calendar year;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the attached list of standing committees and their responsibilities for calendar year 1990:

*****1990 COUNCIL STANDING COMMITTEES*****

Ways and Means—Reviews all proposed modifications to the City's annual budget, the city financial status and periodic financial reports from the Internal Auditor; develops policy recommendations on City financial matters.

Physical Development—Reviews all matters having to do with land use, including zoning, plats, street and sewer development; reviews proposed modifications to the Comprehensive Plan; reviews acquisition and disposition of public property.

* SEE AMENDMENT

Public Safety—Reviews service levels and issues related to public safety including police, fire, ambulance, emergency services and traffic enforcement.

Public Services—Reviews all matters pertaining to Public Service Department policies (except locations of extensions of sewers and streets); Muncipal Parking System including parking enforcement and policies; Parks Department policies and Building Inspection Program.

Economic Development and Long-Range Planning—Reviews economic development matters; prepares and updates a five-year plan covering development goals, policies, services, workforce, capital improvements, and overall direction. Develops policies that would turn over routine matters to the Administration wherever possible.

General Services—Reviews licensing and regulation matters, personnel matters, human services, and program audits prepared by the Internal Auditor; reviews matters pertaining to the Arts, cultural and community-wide activities, special events and leisure time programs; general oversight of City Government operations, except those more specifically covered by another committee.

Intergovernmental Relations—Represents the Council in outreach efforts to improve working relationships with other political entities, regional agencies and internally with autonomous bodies such as the Board of Water and Light, the Housing Commission, and the Greater Lansing Convention/Exhibition Authority. Primary charge is to lead in the exploration of intergovernmental cooperation, toward provision of needed services in the best manner by the most appropriate jurisdiction with least duplication of effort to include specific emphasis on achieving a regional approach to recycling and solid waste management.

By Councilmember Worthington:

* AMENDMENT

That the description for the Physical Development Committee be amended by adding: and all locations of parking structures.

ADOPTED UNANIMOUSLY

ADOPTED AS AMENDED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Resolution #8
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the City Council shall meet on Tuesday, January 16, 1990, instead of Monday, January 15, due to the City's observance of the Dr. Martin Luther King, Jr., Birthday holiday.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Resolution #9
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dr. Abel B. Sykes, Jr., will be inaugurated as President of Lansing Community College on January 12, 1990, thus becoming the second person to hold this position in the college's 32-year history; and

WHEREAS, with a Doctorate of Education from UCLA and a Bachelor and Masters Degrees in History from the University of Missouri, Dr. Sykes comes to Lansing from Kings River Community College in California, where he served as President for five years after being President/Superintendent of Compton College, also in California, for 15 years; and

WHEREAS, Dr. Sykes is a member of several prestigious national organizations including Phi Delta Kappa, which in 1972 honored him as "Educator of the Year";

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby welcomes Dr. Abel B. Sykes, Jr., to the Capital City, and

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congratulates him on his inauguration as President of Lansing Community College; and

BE IT FURTHER RESOLVED the City Council looks forward to working with Dr. Sykes in the years to come on matters of mutual interest, for the benefit of the College, the City, and the People of Lansing.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Boyd made known that there will be free parking in downtown Lansing on January 15, 1990. There will also be refuse pickup on that same day. Christmas trees are also being picked up free to Lansing residents.

Mr. Boyd gave the City's condolences to Earlene Neal, whose grandson died recently.

REMARKS BY COUNCILMEMBERS

Mr. Lindemann spoke regarding refuse pickup.
Mr. Adado spoke regarding parking lot located at BOC, which the City will be using for City parking. He also made comments regarding raises for Department heads.
Mr. Worthington spoke regarding Human Resources' reallocation due to Council policy changes. He also made comments in favor of new Data Processing software.

BY COUNCILMEMBER BELEN:

That this meeting stand adjourned.

Carried.

Council adjourned at 7:52 P. M.

James D. Blair
City Clerk
Lansing, MI

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 16, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
January 16, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M., and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

ABSENT: Councilmember Lindemann

The Invocation and Pledge of Allegiance was given by Councilmember Schmidt.

The Council proceedings for January 2, 1990 were approved, UNANIMOUSLY.

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

John Peckham of Martin Properties was present to answer any questions regarding Z-21-89—1400 Block of East Miller Road. Councilmember Schmidt had a question regarding drainage on this property. Mr. Peckham said that engineering plans revealed no drainage problems.

COMMUNICATIONS AND PETITIONS

Letter from Deborah A. Mulcahey, Secretary for Neighborhood Watch #120, regarding an increase in the City budget for housing code compliance.

REFERRED TO THE MAYOR AND PLANNING BOARD

Letter from Deborah A. Mulcahey, Secretary for Neighborhood Watch #120, thanking former Councilmember Creamer for his efforts in support of their neighborhood.

RECEIVED AND PLACED ON FILE

Letter submitted by Don and Virginia DeCair regarding uncontrolled cats in Ingham County and a copy of a letter to the Ingham County Board of Comissioners regarding the same subject.

REFERRED TO THE MAYOR

Letter from GLM Development withdrawing application for rezoning Z-25-89, and switching application to a PRD-1-90 for property at 2400-2600 Forest Road.

REFERRED TO THE MAYOR

Letter of thanks from Mark E. Blum, owner of Mark's Lock Shop, Inc., commending officers Ramsey, Duso, Alverio, Campbell and Behrmenn and the Police Department for their efficient and professional law enforcement personnel.

REFERRED TO THE MAYOR AND
BOARD OF POLICE COMMISSIONERS

MAYOR AND HIS EXECUTIVE ASSISTANT

Mayor McKane commented regarding the Mayor's letters A-G.

Councilmember Adado spoke regarding Deborah A. Mulcahey's letter, under Communications and Petitions number one (1).

REPORTS OF CITY OFFICERS AND BOARDS

January 11, 1990
President Belen and Members of the Lansing City Council
l0th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached list of applications for licenses and bonds have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Hecter Luis Muriel
MECHANICAL AMUSEMENT: Silver Dollar Saloon
TRANSFER OWNERSHIP SDD LICENSE: 1705 W. Mt. Hope Avenue

Sincerely,

James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Adado:

That the City Council concurs with the recommendation of the City Clerk for approval of the recommended licenses and bonds.

Carried Unanimously

Councilmember Lindemann absent.

TO: Council President Lucile Belen and Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 11, 1990
SUBJ: ACT-3-89, renaming Grand River Avenue, North Lansing, to Franklin Avenue

The attached recommendation from the Lansing Planning Board is being submitted with my concurrence for your review and appropriate action.

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE

TO: Council President Lucile Belen and Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 11, 1990
SUBJ: Amendments to Planning and Zoning Code

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The attached recommendation from the Lansing Planning Board is being submitted with my concurrence for your review and appropriate action.

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 10, 1990
SUBJ: Participation Agreement for Urban Homesteading Program

The attached recommendation and resolution regarding the Urban Homesteading Program are being submitted with my concurrence for your review and appropriate action.

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 9, 1990
SUBJ: Request for Public Hearing re: Demolition of 3207 Ingham

The attached request is submitted with my concurrence for your review and appropriate action.

By Councilmember Adado:

That we concur with the recommendation of the Mayor that a Public Hearing be set for January 29, 1990.

Approved unanimously.

Councilmember Lindemann absent.

TO: Council President Lucile Belen and Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 11, 1990
SUBJ: Public Improvement III—South Cedar Street Beautification

The attached resolution by the Committee on Physical Development is being submitted with my concurrence for your review and appropriate action.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 11, 1990
SUBJ: Recommendation to Approve Acceptance of Federal Funds for Lansing Housing Commission

As the attached materials indicate, Council action is needed in order that the Housing Commission may receive additional Federal funding for rehabilitation of low income housing. I recommend that you approve a resolution to accept this funding.

REFERRED TO WAYS AND MEANS COMMITTEE

(see Resolution No. 11)

TO: Council President Lucile Belen and Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 11, 1990
SUBJ: Transfer of Funds

The attached requests for transfer of funds are being submitted with my concurrence for your review and appropriate action.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the Ordinance to amend Chapter 1460, Housing Code, by amending Sections 1460.17 to require at least one GFCI outlet in all bathrooms: 1460.21 and 1460.24 to give the Building Safety Director authority to take immediate action on any violation or situation considered dangerous to human life and to place the cost of the city's action on the tax roll of the affected property: and adding a new Section 1460.29 to require smoke detectors in all residential structures.

REPORTS AS FOLLOWS: The Committee recommends passage of this Ordinance. The Council's revisions to the standing committees for 1990, however, would properly place this matter in the Committee on Public Services, which oversees the building inspection program. Therefore, the Ordinance is hereby referred to the Committee on Public Services with a favorable recommendation.

BY COUNCILMEMBER SCHMIDT:

That the Committee Report be received and that the Ordinance be referred to the Committee on Public Services.

REFERRED TO THE PUBLIC SERVICES COMMITTEE

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the request from the Lansing Housing Commission to authorize Amendment #26 to the Annual Contributions Contract #C-3007.

REPORTS AS FOLLOWS: This amendment will allow for the acceptance of up to $1,203,000 from the Department of Housing and Urban Development for the 1989 Comprehensive Improvement Assistance Program. This allocation will enable the Housing Commission to finish improvements previously initiated at the Mt. Vernon Park Development, and to provide physical improvements at the Hildenbrandt Park Development. The committee recommends approval of the attached resolution authorizing the execution of Amendment 26. This recommendation is made with the full expectation that the Housing Commission will reimburse the City for the cost of the recent Housing Commission audit as discussed in Committee with the Housing Commission Director.

SIGNED

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

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RESOLUTIONS

Resolution #10
BY THE COMMITTEE ON GENERAL SERVICES:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Jason Stahlmann filed a claim against the City of Lansing; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee approved a motion to concur with the City Attorney's recommendation to deny the claim, and reported same to the claimant; and

WHEREAS, Mr. Stahlmann appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and approved a motion to concur with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Mr. Jason Stahlmann; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #11
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

REGARDING: AMENDMENT NO. 26 TO ANNUAL CONTRIBUTIONS CONTRACT NO. C-3007

WHEREAS, the members of the City of Lansing, Michigan, (herein called the "Local Governing Body") acting by and through the Lansing Housing Commission (herein called the "Local Authority"), and the United States of America (herein called the "Government") as of the 29th day of March 1971, entered into a certain Annual Contributions Contract to assist in the development of certain low-rent housing, identified therein as Project No. MI33P058908-Z; and

WHEREAS, the Local Authority and the Government desire to modify the terms of said Annual Contributions Contract;

BE IT RESOLVED BY THE LOCAL AUTHORITY AS FOLLOWS:

Section 1. The Local Authority shall enter into an amendatory agreement with the Government, modifying the terms of the Annual Contributions contract, and the President of the Housing Commission is hereby authorized and directed to execute such amendment in quadruplicate, and the Clerk of the Local Governing Body is authorized and the directed to impress and attest the official seal of the Local Governing Body on each such counterpart.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #12
BY THE WAYS AND MEANS COMMITTEE:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the audited financial statements for FY 89 reflected technical deficits in the Golf Fund and the Special Assessment Fund; and

WHEREAS, a plan must be submitted to the State of Michigan to show how such deficits are to be eliminated; and

WHEREAS, the Administration has submitted the necessary deficit reduction plan proposals (attached); and

WHEREAS, Council has reviewed the proposed reduction plans;

NOW, THEREFORE, BE IT RESOLVED that the proposed deficit plans for Golf Fund and Special Assessment Fund hereby be approved.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #13
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$44,000.00 from Parks & Rec. Golf Fund Est. Revenues A/C 584-000-000-160
44,000.00 to Parks & Rec. Golf Fund Budget Control Acct. A/C 584-850-000-700
(Transfer will resolve accounting/reporting problem resulting from establishment of Golf Enterprise Fund in FY 88.)

$44,000.00 from Est. Rev. A/C 101-000-000-160
44,000.00 to Parks & Rec. Golf Fund Subsidy A/C 101-756-000-969
(Transfer will resolve accounting/reporting problem from establishment of Golf Enterprise Fund in FY 88.)

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Submitted by:
Jan Lazar, Budget Director

I hereby certify that funds are available.

Stephen W. Duarte
City Controller

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #14
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$3,000.00 from Forfeitures Est. Rev. A/C 265-000-000-160
3,000.00 to Drug Law Enforcement Fund—
Drug Forfeitures Control A/C 265-000-000-700
(Three months' lease of two vehicles for REACH personnel. (New bids to be issued after January.)

$22,257.00 from Forfeitures-Est. Rev. A/C 265-000-000-160
21,533.00 to Drug Forfeitures Cont. A/C 265-000-000-700
(Reimbursement for vehicles purchased in 1988. Approved by Tri-County Metro Governmental Board 11-29-89.)
724.00 to Drug Forfeit. Cont. Equip. A/C 265-000-000-700
(Purchase of dictaphone and file cabinet for Prosecutor's Office Asset Seizure Unit, per Tri-County Metro Governmental Board meeting of 11-29-89.)

I hereby certify that funds are available.

Submitted by:
Jan Lazar, Budget Director

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #15
COMMITTEE ON PHYSICAL DEVELOPMENT:

SLU-16-89
521 Lincoln Avenue

WHEREAS a request has been made by Art Baryames to receive a special land use for property located at 521 Lincoln Avenue, more particularly described as:

Lot 109 and the east 9 feet of Lot 106, Addmore Subdivision, City of Lansing, that will allow him to expand an employee parking lot for his business located at 2423 South Cedar Street and develop a landscaped buffer zone between the parking lot and residential area to the east; and

WHEREAS the Lansing Planning Board has reviewed the request for a special land use according to the requirements of Chapter 1282 of the Zoning Code and has recommended approval of the special land use subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves this special land use request by Art Baryames for property at 521 Lincoln Avenue for the purpose of expanding off street parking in conjunction with his business at 2423 South Cedar Street subject to the following:

Final approval by the Planning Division and Public Service Department be given to a site plan showing landscape screening and buffering, ingress and egress to the site and an acceptable drainage plan for the parking lot improvement.

In approving this request the Council considered the following:

1) The site will be designed, constructed, operated and maintained in a manner harmonious with the character of the adjacent property and the surrounding area. Landscape screening and buffering will be installed to provide this assurance.

2) The development will not change the essential character of the surrounding area. The site will be utilized for off street parking in conjunction with existing commercial operations. This parking is necessary to alleviate the problem of on street parking.

3) The development of this parking lot should not interfere with the general enjoyment of the adjacent property. The applicant has indicated that it will be used for employee parking only and the more intense patron parking is intended to be provided at the north end of the complex.

(4) The development will result in utilization of the property for off street parking, which will represent an improvement to the use and character of the existing commercial use.

(5) The proposed development of this parking lot will not be hazardous to adjacent property, nor will it involve use or activity or have equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

(6) The off street parking development can be adequately served by the essential public facilities. It is required that steps be taken to provide assurances that storm water facilities are provided for.

(7) The off street parking development will not place demands on existing public utilities and facilities in excess of current capacities.

(8) The proposed change is generally consistent with the intent and purpose of the Zoning Code and the objectives of the currently adopted Comprehensive Plan. The Comprehensive Plan recognizes this area along Cedar Street as commercial.

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The objective to maintain a viable commercial strip can only be when adequate off street parking is provided for.

(9) The development will meet all the dimensional requirements of the district in which the property is located. The site is zoned residential and the required setbacks and landscaping, screening and buffering will be provided.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #16
PUBLIC IMPROVEMENT II

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LANSING

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council, be received, approved, and placed on file.

Resolution Date: January 16, 1990

PROPERTY BENEFITED: All lands fronting South Cedar Street from Cloverland to Mt. Hope, excepting all public streets and alleys and other lands deemed not benefited.

The Engineer's estimated expense of said improvements is as follows:

PROJECT NO. 66046
ASSESSMENT ROLL

CITY CONTRIBUTION	ASSESSABLE TO PROP. OWNERS	TOTAL PROJECT COST
$51,000.00	$51,000.00	$102,000,000
From Account	#403 452 005 974.33	$51,000.00
	#404 936 000 974.316	$51,000.00

Project to be known as South Cedar Beautification Project, PS 66046, for the installation of trees and tree grates.

That the City Assessor be, and is directed, to make special assessment installation rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #17
BY THE COMMITTEE OF THE WHOLE:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, ALICE WIELAND was appointed to an at-large vacancy on the Lansing Planning Board on September 5, 1978, was confirmed by City Council on the same day, and has been reappointed to three subsequent terms; and

WHEREAS, Ms. Wieland recently submitted her resignation for health reasons; and

WHEREAS, during her 11-plus years of loyal service on the Planning Board, Ms. Wieland has been actively involved in land use issues in the northwest area of the city, especially those near her home at 2601 Newport, lending her expertise about the neighborhood to discussions of matters before the Board;

NOW, THEREFORE, BE IT RESOLVED Members of the Lansing City Council, sitting in regular session this 16th day of January, 1990, hereby express their heartfelt appreciation to ALICE WIELAND for her outstanding service to the People of Lansing during her tenure on the Lansing Planning Board; and

BE IT FURTHER RESOLVED the City Council offers a prayer for immediate improvement in Alice's health followed by a bright future.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

INTRODUCTION OF AN ORDINANCE

The following Ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

PART 12 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1220, SECTION 1220.03, FOR THE PURPOSE OF REMOVING THE REQUIREMENT THAT AT LEAST SIXTY (60%) PERCENT OF THE LANDOWNERS ARE REQUIRED TO SIGN A PETITION AGREEING TO THE ESTABLISHMENT OF A HISTORIC DISTRICT COMMISSION.

Introduced by Councilmember Worthington

Read a first and second time by its title and referred to the Committee on Physical Development.

By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 5, 1990 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of hearing comment opposing and/or approving the the introduction of Ordinance to amend Chapter 1220, Section 1220.03, for the purpose of removing the requirement that at least sixty (60%) percent of the landowners are required to sign a petition agreeing to the establishment of a Historic District Commission.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Lindemann

By Councilmember Worthington:

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Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances. City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the city and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-21-89—1400 Block of East Miller Road, to be rezoned from "DM-3" Residential District to "D-1" Professional Office District.

Be placed on order of immediate passage.

By Councilmember Worthington:

That this be considered as being read in its entirety.

Carried.

By Councilmember Worthington:

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances. City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the city and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-21-89—1400 Block of East Miller Road to be rezoned from "DM-3" Residential District to "D-1" Professional Office District.

Be now passed.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt, and Worthington

ABSENT: Councilmember Lindemann

NAYS: None

ORDINANCE #2307

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-21-89, 1400 Block of East Miller Road

Parcel Number: 3305-03-401-013

Legal Description: The south 267 feet of the following described property; beginning at the south ¼ corner Section 3, north 33 feet, east 363 feet, north 480 feet, west 363 feet, south 480 feet to point of beginning, T3N, R2W, Delhi Township, Ingham County, Michigan

From "DM-3" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By Councilmember Worthington:

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the city and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-22-89—3133 South Cedar St. to be rezoned from "F" Commercal and "J" Parking Districts to "F" Commercial District.

Be placed on order of immediate passage.

By Councilmember Worthington:

That this be considered as being read in its entirety.

Carried.

By Councilmember Worthington:

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in the city and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-22-89—3133 South Cedar St. to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District.

Be now passed.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ORDINANCE #2308

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-22-89, 3133 South Cedar Street

Parcel Number: 3301-28-476-021

Legal Description: Lots 32 and 33 and the north 21.02 feet of Lot 34, Cedarbrook Subdivision, City of Lansing, Ingham County, Michigan

From "F" Commercial and "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By Councilmember Adado:

Resolved by the City Council of the City of Lansing that Council rule #11 be waived for the purpose of presenting items that are not

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listed on the agenda.

Carried: Vote 7/0 with Councilmember Lindemann absent. Items for suspension were presented to the Council. They are as follows:

A letter written to Councilmember Adado from Gary Andrews, Project Director for the Lansing Environmental Arts Project, regarding submitting a grant request for community-based ventures.

REFERRED TO ECONOMIC DEVELOPMENT CORPORATION

A letter was sent to Councilmember Benavides regarding the feasibility of the Parks Department building a Skateboard ramp in Southwest Lansing.

REFERRED TO THE MAYOR AND PARKS DEPARTMENT

A letter written to Councilmember Ford from Anne Smiley, President of the Franklin Street Community Housing Cooperative, regarding LCC's demolition of housing on their campus.

REFERRED TO THE MAYOR AND PLANNING BOARD

INTRODUCTION OF AN ORDINANCE

The following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

AN ORDINANCE PROVIDING FOR THE DESIGNATION OF A NEIGHBORHOOD AREA LOCATED IN THE CITY OF LANSING, MICHIGAN (Cherry Hill Historic District)

Introduced by Councilmember Worthington

Read a first and second time by its title and referred to the Committee on Physical Development.

By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, Februay 5, 1990 at 7:00 P.M. in the l0th Floor Chambers of City Council for the purpose of opposing and/or approving the ordinance:

PROVIDING FOR THE DESIGNATION OF A NEIGHBORHOOD AREA LOCATED IN THE CITY OF LANSING, MICHIGAN (Cherry Hill Historic District)

By Councilmember Adado, that Councilmember Lindemann be excused

Motion carried unanimously.

PUBLIC COMMENTS

Russell Greer of 1517½ Bailey Street complained to the Mayor and Council regarding breakins in his neighborhood. He requested that the Police Dept. submit more detailed reports for insurance purposes. He also stated that his neighborhood was in need of more Police protection. Council President Belen suggested that he attend the next Police Board meeting.

Mohammed Frank Curtis spoke regarding a past letter he had written to the Mayor's Office.

MAYOR'S COMMENTS

The Mayor told Mr. Curtis that he was not aware of a letter written to his office, and requested that Mr. Curtis submit another letter so that any problem could be resolved. The Mayor also said that with or without a Public Service garbage bag, Christmas trees are still being picked up.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides spoke regarding the problem of Christmas trees in street right-of-ways.

Councilmember Schmidt spoke regarding demolition of properties on S. Cedar Street and the resulting dirt and debris. On January 24, 1990, there will be a Special meeting of the Forest Road Neighborhood Association regarding pending rezoning on Forest Road.

Councilmember Worthington spoke regarding his graduation from law school, and reminisced about past school days in Lansing and his appreciation of the opportunities afforded him through the Lansing area school systems.

Councilmember Ford congratulated Mr. Worthington's graduation from Cooley Law School.

Councilmember Crawford indicated that tickets were available for a fundraiser for Child and Family Services for $9.00. The dinner is on Sunday, January 20, 1990.

Councilmember Adado spoke regarding questions on Christmas tree pickup.

Council President Belen spoke regarding Volunteers of America paper pickup. For pickup, phone 484-4441.

Councilmember Schmidt also commented on the parking problem at the Lansing Center in conjunction with the LCC luncheon this week.

BY COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned.

Council adjourned at 8:20 PM.

James D. Blair
City Clerk
Lansing, MI

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THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 22, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
January 22, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M., and was called to order by Council President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were given by Councilmember Ford.

1990
STATE OF THE CITY ADDRESS
Lansing, Michigan
presented by
Mayor Terry J. McKane
January 22, 1990
Lansing City Hall

Good evening and thank you, all of you, for joining me here this evening. What I have to say to you tonight may be surrounded with an air of celebration and festivity, but my message is one that I hope you will carry home with you, reflect on and, yes, act on.

For tonight, here together, we face the beginning of not just a new decade, but the dawn of a renewed spirit of cooperation in this community.

We must put aside the luxury of political and philosophical differences, for we face challenges and responsibilities that transcend all boundaries.

Lansing is a privileged community, a jewel of mid-Michigan—with more parks per capita than any community our size anywhere in the country; with the best trained public safety response teams anywhere in the state; with more than thirty neighborhood organizations working to help build and rebuild our community. We are home to the State Capitol, rich in historical detail and host to more than 100,000 visitors every single year. We are home to the Reatta Craft Centre team—the real stars of the Detroit Auto Show; we are home to museums and theatres, galleries and lofts: we are home to one of the largest community colleges in the nation and we are home to the fastest growing law school in the state; and finally, we are home to 133,000 friends, families and neighbors.

In case you have forgotten in this era of rapid change, rapid growth and little time—in this era of fax machines, car phones, answering machines, call waiting and call forwarding; in this era of fast food, fast cars and fast lanes; let me remind you of something that may have been lost in the shuffle: Lansing is our home. It is the haven where we raise our families, it is the refuge where we plan our futures, it is the sanctuary where we build our lives together.

But all too often we take Lansing—our home—for granted.

We have had a year of great accomplishments, a year that saw us reach new heights and meet adversity head-on.

We have had a year of new buildings like the Grand Tower, the Victor, the Phoenix, the Ellis Lottery Building, the Capitol Commons Office Center, and the Target and Sam's wholesale stores located along the new Edgewood Boulevard.

And we have had a year of protective barricades, as we pushed the drug dealers out of our neighborhoods, armed our officers with semi-automatic weapons and made our streets safer for our residents.

We have had a year of renewed hope, with groups like the South Central Neighborhood Organization and the Single Parent Family Institute rising to meet the needs of single-parent families in our community.

And we have had a year of volunteered help, with the outstanding work of groups like the Lansing Neighborhood Council and its summer house painting blitz, and the Greater Lansing Area Food Bank and its continued drive to feed the hungry.

We have had a year of needless division, as the hue and cry over Martin Luther King, Jr. Boulevard/Logan Street threatened to tear at the very fiber of this community.

And we have had a year of courageous decision, as white business leaders from the southside of Lansing joined with Black ministers to forge a tribute to Dr. King that drew on patience, acceptance and understanding.

But have we done enough, Lansing?

No. Not until every child is safe and warm, embraced in the comfort of home and family.

Have we done enough, Lansing?

No. Not until every neighborhood has realized its full potential, blossoming with quality, affordable, owner-occupied housing.

Have we done enough, Lansing?

No. Not until every dope dealer is behind bars and every barricade in every neighborhood is put back into storage and forgotten.

Have we done enough, Lansing?

No. Not until every piece of vacant property in every corner of this city becomes a site for a home, a park, a playground or a business.

Have we done enough, Lansing?

No. Not until the dream of Martin Luther King, Jr. has become a reality and racism is banished once and for all from our institutions, and from our hearts.

Many of you here tonight are leaders in this community today—leaders like Jud Werbelow and Mel Kent from the Greater Lansing Chamber of Commerce, Priscilla Holmes from the Lansing

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Neighborhood Council, Camille Abood and Patricia Curran with the Greater Lansing Area Food Bank, Charley Janssen and Kevin McKinney with the Zero Tolerance Task Force, Willard Walker and Sherry Johnson with the Lansing Police Commission and the Martin Luther King Holiday Commission, Delma Lopez with the Lansing Housing Commission, Glenn Freeman with the Greater Lansing Labor Council, and the Reverend Joseph Graves with the Pastors Conference—to name just a few of the hundreds of people who contribute to this community.

But also with us tonight are the community leaders of tomorrow—the future business leaders and labor leaders, community organizers and elected officials.

These young people are the student council officers of Eastern, Everett, Sexton, Lansing Christian and Lansing Catholic Central high schools. They will be the ones to govern us in the next century.

Their eyes are upon us.

So tonight we must turn our eyes to the future. We must look beyond today and concentrate our energies on tomorrow.

We cannot move toward the 21st century with blinders on—and we cannot expect others to solve our problems for us. We must build the future of Lansing together: this is our city; this is our challenge; this is our responsibility.

I present to you tonight an ambitious agenda that embraces, supports, prods and nurtures the very heart of this community.

The challenges we face together are not easy. They demand strength and wisdom, cooperation and perseverance. Above all, they demand that we do what is right for our community, not just what is politically palatable.

This, then, is our call to action for 1990:

First, for the entire region . . .
I call on my colleagues in local government to join with me—to look beyond our political and geographic boundaries by creating a Greater Lansing Metropolitan Council. Let us take advantage of a brand new state law that helps local governments work together to solve problems of mutual concern so that this region. as a region, may regulate the use of our lands and waters and manage our waste collectively.

Let us solve our problems together instead of fighting among ourselves, pointing fingers of blame and self-righteously absolving ourselves of responsibility for the future. Our two regional summits, with a third scheduled for later this month, have shown that we have a great deal in common. We have talked enough about what we can do. Now is the time to start doing.

Next, for not just our region, but for the good of the entire state . . .
I call for city-wide curbside recycling by July, 1991, with voluntary recycling programs, as discussed by some of my council colleagues, to begin yet this year. To accomplish this mission, I support the introduction of a model ordinance mandating the program. I also recommend the adoption of similar programs across the region and I will appoint a recycling coordinator to develop a comprehensive city-wide recycling program that involves the entire community.

In this city alone we throw away the equivalent of nearly five million bags of garbage every year. With only ten years left at our landfills, we are going to have to sacrifice throw-away convenience.

As citizens of one of only six Clean Michigan pilot project communities in the state, we have an opportunity to demonstrate to the rest of Michigan how effectively and efficiently we can become a committed recycling community. I am confident that, together, we will make Lansing known nationwide for its commitment to the environment.

But we must go beyond simply recycling our own trash. We must also actively support all aspects of recycling—and that includes developing industries that manufacture recyclable products from recycled goods. And then we have to commit to buying those products.

For our economy . . .
I call for constant vigilance as we continue to be buffeted by changing economic tides. Even as we sit here tonight, some of our friends, our neighbors and our families are facing troubled times as the American auto industry braces itself for the 1990s. We must continue to pursue economic diversity, building on high-tech successes like Neogen, MBI, and Himont, while we balance our dependency on the automotive industry by recruiting new industry and new jobs to our region that will take advantage of our skilled work force. Governor Blanchard has called for increased efforts to attract recycling industries to Michigan. Let this community lead the charge.

For our neighborhoods, the very foundation of our community . . .
I call for a strategic planning conference to be held this spring that will seek to increase owner-occupied housing by increasing the availability of affordable homes and the quality of our aging housing stock.

As part of this conference I call, too, for an accurate assessment of our housing needs as we seek to stabilize our neighborhoods.

Here, too, we must recognize that we are part of a thriving regional community. We cannot stand idly by as people move to the suburbs and beyond, leaving the city behind. We must combine all of our resources—public and private—to support our urban core.

That means that suburban communities with no-growth, slow-growth factions are encouraged to send that growth right back into the city, where it will be welcomed with open arms.

That means, too, that we must build and expand on the success stories of men and women like Dale Goodrich and Mary and Lance Clark, whose efforts through the Lansing Reinvestment Corporation are turning Lansing's Green Oaks neighborhood back to the people who live there.

I urge the citizens of this region—our neighborhood organizations, our bankers, builders, developers, realtors, homeowners, tenants and landlords—to join me in this very important effort.

For our children, our future leaders . . .
I call for the creation of a Kids Community Council, made up of young people who will advise and counsel this city and its leaders as we seek to provide innovative programs that will truly address the needs of the children of the '90s.

Our efforts will concentrate on prevention, not detention, as we work diligently to coordinate all youth outreach services, maintain

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our successful youth hotline, and expand the hours of our adolescent center—because being a kid is not a nine-to-five job.

Lansing is a city of families. We must work to meet the needs of those families as they struggle to raise responsible, committed, confident young people who will contribute much to this community.

And finally, for our safety . . .
Let us once and for all put the squeeze on dope dealers, pushers and users—the scum and the scourge of every community in this country.

Last year I added two investigators and one crime analyst to our REACH efforts. We barricaded neighborhoods and established a crack hotline. By maintaining constant pressure, we have not allowed drug dealers the luxury of feeling secure within our neighborhoods.

We have some of the most innovative law enforcement programs in the country right here in Lansing, with our REACH teams cracking down in record numbers, moving in on nearly 200 raids and arresting twice as many drug offenders—nearly 1,000—as last year.

I am proud that, unlike many cities around the state and the country, we are an equal opportunity enforcer in this town. We make arrests regardless of race, creed, color, gender or national origin.

We are doing more to fight the drug war in our community than almost any city in America. We are doing it better, and we are doing it first.

But is this enough? Clearly not.

So within weeks, I will assign two police officers to targeted neighborhoods for intensive community-based enforcement, similar to Governor Blanchard's Beat Cop Plus program. Two more officers will be added later this year.

But that is only four officers, against how many?

Therefore, I call for the creation of a third REACH team—so that we can provide 24-hour-a-day, seven-day-a-week pressure on street level dealers, crack house operators and users so that they will never feel secure against detection and arrest.

And while the state of Michigan may declare the areas around our schools as drug free zones, I say we must go beyond the schools and the playgrounds.

I say it is time to declare the entire city of Lansing a drug-free community, with mandatory penalties that will make it so inconvenient, so costly and so burdensome to do business—drug business in this town that dealers will turn their backs on Lansing and go back to where they came from.

I call for mandatory minimum penalties for frequenting a drug house, and I call for the declaration of known drug houses as public nuisances.

I pledge to put before this City Council a crime package that will limit judicial discretion and ensure that those who do the crime do the time.

Make no mistake: this war we are waging against drugs in our community demands that we make tough choices. Every skirmish and every raid costs money, and we are waging battles—costly battles—every day.

When we faced the enemy in the 1940s, this community dug a little deeper, and with a commitment to victory built the U.S.S. Hunt to take on those who would enslave the world. Today we must have that same level of commitment if we are to defeat those who would enslave our children with drugs.

Prevention costs, and so does detention. So we have streamlined government and automated government. And we will continue to put city government under a microscope, searching for ways to cut costs and cut corners. But the fact is, the fat has been cut. We have held the line on taxes and preserved public service.

I pledge to you tonight that there will be no cuts—absolutely no cuts—in the police department. But a new REACH team will require additional resources. Enforcing new mandatory penalties, declaring drug houses public nuisances and making sure drug dealers go behind bars will require new resources.

It is up to you, the citizens of this community, to make the tough choices. Within weeks I will recommend to this council and to you, the voters of this city, a special millage for drug prevention and enforcement that will allow us to escalate this war on drugs.

Will we win this war, or will we, the entire community, fall victim to it? The decision will be in your hands.

I am fully aware that I have proposed ambitious initiatives for this city: a Greater Lansing Metropolitan Council, city-wide curbside recycling by '91, a Kids Community Council, a strategic planning conference on housing, a drug-free community that mandates harsh penalties against drug dealers, and a special millage for drug prevention and enforcement for the people to decide.

Tonight I call upon you—all of you—to help me pursue this agenda.

Our success lies not just in what you demand of this city, but in what you demand of each other.

This city—your home, my home, our home deserves our continued commitment and participation. Join your local neighborhood organization and contribute to the solution, not the problem. Start sorting your trash now, separating plastics, newspapers, cans and glass. Buy recycled products. Be a part of your neighborhood watch group, and if your neighborhood doesn't have one, then take the initiative to start one yourself.

Most of all, keep your eyes and ears open. Take care of yourselves, and take care of each other.

The '90s will be a race against time. We have one decade—just ten short years—before we reach the year 2000.

Whether we like it or not, we are in this race together. Let us not run away, let us not run in circles. Let us run together.

We are on the last lap of the century, my friends. Let us cross the finish line together, smiling and triumphant, confident in the knowledge that we have not only finished the race, but indeed, we have won.

Council President Belen called for a 10-minute recess; the meeting

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resumed at 7:40 P.M.

NO PUBLIC HEARINGS WERE SET FOR THIS DAY

THERE WERE NO PUBLIC COMMENTS

COMMUNICATIONS AND PETITIONS

1. Petition for rezoning Z-1-90—910 South Holmes Street filed by James M. Tropf, to be rezoned from "F" Commercial District to "B" Residential District

REFERRED TO THE MAYOR AND PLANNING BOARD

2. Letter received from Richard J. Mooney, Chairman of the Board, Mooney Oil Corporation expressing his concerns of drug activity in the area of West Saginaw and Pine Streets, near his property "Total SuperStop"

REFERRED TO THE MAYOR

3. Letter from Raymond E. McQuillan, attorney for Jackson Assembly Enterprises, Inc., asking for a transfer of a Industrial Facilities Exemption Certificate previously granted to Ryerson and Haynes, Inc.

REFERRED TO THE MAYOR AND ECONOMIC DEVELOPMENT

4. Letter from several interested persons expressing their concerns during the renovations at the City Market

REFERRED TO THE MAYOR AND PUBLIC SERVICES

5. Letter from Margaret Ann Cowan supporting the recycling ordinance

RECEIVED AND PLACED ON FILE

6. Letter received from Everette and Sandra Fowler regarding a letter they received from the Public Service Department telling them their storm sewer was connected illegally

REFERRED TO THE MAYOR

7. Letter from Howard L. Jones, President, Lansing Neighborhood Council Recycling Task Force, explaining the need for immediate recycling program

REFERRED TO THE MAYOR AND INTERGOVERNMENTAL AFFAIRS

8. Letter from Catherine Stevens in support of mandatory recycling and an explanation of a recycling program in Norcross, Georgia

REFERRED TO THE MAYOR AND INTERGOVERNMENTAL AFFAIRS

9. A petition from residents on Clyde Street in favor of bringing house at 917 Clyde Street up to code or be demolished

REFERRED TO PUBLIC SERVICES

10. State of Michigan submits permit to install pipes over the drain channel at the Jolly Road crossing of Mud Lake Drain

RECEIVED AND PLACED ON FILE

COMMENTS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Boyd commented regarding the Mayor's letter 2a from Dr. Richard Halik, and on the Mayor's letter 2k, commending Jay Lane and Maria Fores for a "Job Well Done".

REPORTS OF CITY OFFICERS AND BOARDS

for Information or Referral or Action

January 19, 1990
President Belen and Members of the Lansing City Council
l0th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached list of applications for licenses and bonds have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

Vehicle for Hire—American Dream Limousines
Auctioneer—Lynnwood D. Sattler
Building Wrecker—J. C. Linn Company

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

By Councilmember Adado

That the Licenses and Bonds be Approved

Carried unanimously

LETTERS FROM THE MAYOR

Letters 2a through 2m from the Mayor received and referrals made

Resolution #19
PUBLIC IMPROVEMENT !!

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council, be received, approved, and placed on file.

Resolution Date: January 22, 1990

PROPERTY BENEFITED: All lands fronting North Cedar Street from Howe Street to Paulson Street, excepting all public streets and alleys and other lands deemed not benefited.

The Engineer's estimated expense of said improvements is as follows:

PROJECT NO. PS 16064

ASSESSMENT ROLL 317

CITY CONTRIBUTION: $3300
ASSESSABLE TO PROPERTY OWNERS: $21,900
TOTAL PROJECT COST: $25,200

From Account	404-936-000-974.317	$21,900.00
	590-536-608-974	$ 3,300.00

Project to be known as North Cedar Sanitary Sewer, PS 16064 for the installation of sanitary sewer.

That the City Assessor be, and is directed, to make special assessment installation rolls, based upon bids to be received and

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other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar
CITY CONTROLLER

ADOPTED by the following vote:

YEAS: Councilmember Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, and Worthington

NAYS: None

ABSENT: None

Resolution #20
PUBLIC IMPROVEMENT III

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the City Council of the City of Lansing

That the Special Assessment Roll for Street Trees and Tree Grates for the proposed South Cedar Street Beautification Project

ASSESSMENT ROLL NO. 316

PROPERTY BENEFITED:

All lands fronting South Cedar Street from Cloverland to Mt. Hope Avenue.

The revised estimated expense of said improvements based upon construction bids are as follows:

PROJECT NO. PS66046

ASSESSMENT ROLL 316

INTERSECTION AND CITY CONTRIBUTION: $51,000.00
ASSESSABLE TO PROPERTY OWNERS: $51,000.00
TOTAL COST: $102,000.00

FUNDING ACCOUNTS

403-452-005-974.33	$51,000.00
404-936-000-974.316	$51,000.00

ALL OF THE ABOVE ARE PART OF THE SOUTH CEDAR STREET BEAUTIFICATION PROJECT.

returned by the City Assessor be received and placed on file, and the City Clerk is hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin board located on the First Floor of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner, respectively, for each of the properties. Copies of said rolls shall be available in the City Assessor's Office, Third Floor of City Hall, and the Public Service Department, Seventh Floor of City Hall for review.

BE IT FURTHER RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

RESOLVED FINALLY, that the City Council will meet at the Council Rooms on Monday, the 12th of February, 1990, at 7 O'Clock P.M. for the purpose of reviewing said Assessment Roll.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #21
BY: COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, the City of Lansing and U.S. Department of Housing and Urban Development (HUD) entered into a Participation Agreement pertaining to the Urban Homesteading Program on August 10, 1982; and

Whereas, HUD has allocated the City a total of $336,090 in Section 810 Urban Homesteading Program funds which have been used to provide twenty-one (21) properties for use in its Urban Homesteading Program; and

Whereas, the City has, due to its participation in the Urban Homesteading Program, been able to provide homeownership opportunities on an affordable basis to the twenty-one (21) low and moderate income families that own and occupy these properties; and

Whereas, the Urban Homesteading Program has also provided the City the opportunity to assure the successful rehabilitation of twenty-one (21) properties that would otherwise be a blighting influence on the neighborhoods in which they are located; and

Whereas, due to changes in the method of reserving funds and also regulatory and statutory revisions by the Federal government, HUD has required the submission of applications by localities interested in continuing to participate in the Urban Homesteading Program; and

Whereas, HUD has tendered to the City of Lansing a new Participation Agreement for the Urban Homesteading Program;

Now, Therefore, Be It Resolved by the City Council of the City of Lansing that the Mayor, as Chief Executive Officer, be and is hereby authorized to sign and submit to HUD the new Participation Agreement for the Urban Homesteading Program, along with all required assurances and certifications related thereto, and is authorized, as the official representative of the City of Lansing, to act in connection with the Urban Homesteading Program submission and to execute all contracts and legal documents to secure and continue the implementation of the Urban Homesteading Program.

ADOPTED by the following vote:

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YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #22
ACT-19-89
Public Alley
East North Street

WHEREAS John Torres, pastor of Good Shepherd Baptist Church, wishes to purchase a ten-foot-wide alley that runs 79 feet north of East North Street, more specifically described as:

> An alley north of North Street, east of Vermont Street, west of Illinois Street, in Capitol Heights Subdivision, City of Lansing, Michigan, as recorded in Liber 2, page 55,

and,

WHEREAS upon examination it was found that this is a platted alley, which must be vacated by the City, and cannot be sold, and

WHEREAS the proposal was examined under Act 285, P.A. 1931, according to location, as well as character and extent, and

WHEREAS it was found that the alley is not used for public purposes and has not been used for public purposes for many years, and

WHEREAS no public agency expressed an interest in obtaining the parcel for public use, and

WHEREAS the parcel must be split between abutting properties, and

WHEREAS the parcel will assume "B" Residential zoning, according to ordinance,

NOW THEREFORE BE IT RESOLVED that the subject alley be vacated as follows:

A. A 5'x33' parcel be deeded to 1604 Vermont (Parcel 3301-10-133-001)

B. A 5'x46' parcel be deeded to 1602 Vermont (Parcel 3301-10-133-111)

C. A 5'x46' parcel be deeded to 1237 East North (Parcel 3301-10-133-121)

D. A 5'x32' parcel be deeded to 1605 Illinois (Parcel 3301-10-133-141)

BE IT FURTHER RESOLVED that the City Council authorize the City Administration to record this resolution with the proper agencies.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #23
COMMITTEE ON PHYSICAL DEVELOPMENT COMMITTEE
Act-21-89
336 East Michigan Avenue

WHEREAS In 1910 the building at 336 East Michigan Avneue (Mill Supplies Corporation) was constructed; and

WHEREAS according to a survey by Ron Helsel of Fred White Engineering Company dated October 18, 1978, portions of the building extend, in one case .5 feet +/- and in another .75 feet +/- over the property line into the Mill Street (Museum Drive) right-of-way; and

WHEREAS Mill Supplies Corporation has requested official action which allows the building to continue to exist as is, portions of which extend over the property line; and

WHEREAS the Planning Board has reviewed the request and unanimously recommends that an easement be granted recognizing those areas that extend into the public right-of-way until a time at which the building is removed; and

WHEREAS the Council Committee on Physical Development concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes the existing placement of the building located at 336 East Michigan Avenue and authorizes that an easement for the two portions of the building which extend into the Mill Street (Museum Drive) right-of-way, be approved until such time that the existing building is removed; and

BE IT FURTHER RESOLVED that the City Attorney prepare a recordable easement and such easement be added to the tax record.

ADOPTED by the following vote;

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT:None

Resolution #24
By Committee on Physical Development

ACT-26-89

WHEREAS, the Lansing City Council has requested the vacation of a ten foot wide north/south alley between Shepard and Allen Streets north from Marcus to Allen Street School. The alley, which exists only on paper, bisects the Allen Street School playground; and

WHEREAS, the City wishes to eliminate ownership of unnecessary parcels and to bring ownership into conformance with use patterns; and

WHEREAS, the Lansing School District is the sole owner of all parcels abutting this alley so that no access to any property is negatively impacted; and

WHEREAS, the Lansing Planning Board recommended at their meeting on November 21, 1989 to approve the proposed alley vacation; and

WHEREAS, the Physical Development Committee of Council has reviewed the report of the Planning Board and concurs therein;

NOW, THEREFORE BE IT RESOLVED that the Lansing City

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Council vacate the north/side alley between Allen and Shepard Streets, north of Marcus to the original Allen Street School site as defined in Clear's Addition Subdivision, Liber 2, Page 66, Ingham County, Michigan.

BE IT FURTHER RESOLVED, that this resolution be recorded with the proper agencies.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #25
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-28-89
Lots 65, 66 and 68 of the Kirkwood Hills Subdivision No. 1

WHEREAS the owner of Lots 65, 66 and 68 of the Kirkwood Hills Subdivision, Addition No. 1, has requested a reduction in the Holmes and Gilkey Drains to ten feet on either side of the center line in the Holmes and Gilkey Drains to allow for larger buildable areas on said lots; and

WHEREAS the Public Service Department has indicated their approval of reducing the Holmes Drain easement to 20 feet from either side of the center line for Lot 65, and approval of the reduction in the Gilkey Drain easement to 20 feet along the north side and 20 feet along the west side of Lot 68; and

WHEREAS the Public Service Department has indicated that the 20 foot wide sanitary sewer easement that runs down the middle of Lot 66 cannot be reduced in size; and

WHEREAS the City of Lansing declares that it has no interest in that part of these easements as stated above on said lots, and

WHEREAS the appropriate committee of City Council has reviewed the report of the Planning Board and concurs therein;

NOW THEREFORE BE IT RESOLVED that the City of Lansing indicates its support of the reduction in the Gilkey and Holmes drain easements on said Lots; and

BE IT FURTHER RESOLVED that the applicant be advised to have a title search done to determine any other interest in the easements.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #26
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-31-89
Rename Old Edgewood Boulevard

WHEREAS the City of Lansing constructed and dedicated the new Edgewood Boulevard between Cedar Street and Dr. Martin Luther King, Jr. Blvd./Logan Street; and

WHEREAS the existing old portion of Edgewood Boulevard located between Grovenburg Road and Moore Living Center is still named Edgewood Boulevard and causes a street name duplication; and

WHEREAS the Highlands Cooperative and Woodbridge Commons Cooperative have requested the City to rename this portion of Edgewood Boulevard to either "Georgetown" or "Starwind" Boulevard and this request is in compliance with the 1985 U.S. District Court agreement and order to dismiss the complaint between the City of Lansing and the Cooperatives; and

WHEREAS the Planning Board has reviewed the request under Mich P.A. 285, as amended, and has received comments from Tri-County Regional Planning Commission, City Public Service and Parks Departments and the other housing developments located on this old section of Edgewood Boulevard; and

WHEREAS the Planning Board unanimously recommends that the old portion of Edgewood Boulevard be renamed to "Georgetown Boulevard" to maintain the historic name of the townhouse development and the city park located within the Cooperatives. The recommendation also was based and includes the following factors:

1. The cooperatives submitted the recommended name of Georgetown, which is supported by both Moore Living Center and Edgewood Glen Apartments. These constitute the total ownership of abutting properties.

2. The beginning of a new year is an appropriate time for changing stationery and other items identifying a street name.

3. The effective date in January for implementing the new name avoids holiday rush mails and deliveries.

4. Provides time for the City to make and install the signs with the new name.

5. No public hearing appears necessary since the developments and land holders agree with the recommended name change; and

WHEREAS the City Council Committee on Physical Development has reviewed the recommendations of the Planning Board and concurs with the Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council rename the old section of Edgewood Boulevard to "Georgetown Boulevard" with its effective date being January 15, 1990 and directs the administration to record and implement this change.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

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Resolution #27
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-36-89
1115 South Pennsylvania Avenue
Request Parking Use on Haco Drive South Easement

WHEREAS, the owner of Hager Fox Center, Mr. Nussdorfer, has requested use of public right-of-way along the south curb of Haco Drive for employee parking, and

WHEREAS, the Planning Division has reviewed the proposal under Act 285, P.A. 1931, and

WHEREAS, the Planning Division has recommended the approval of this use of the public right-of-way subject to conditions, and

WHEREAS, the Planning Board has concurred with the recommendations, and

WHEREAS, the Committee on Physical Develoment of the City Council has reviewed and concurs with the recommendation of the Planning Board,

NOW THEREFORE BE IT RESOLVED, that the City Council approve a license agreement for public right-of-way along the southern edge of Haco Drive. This serves the reuse of the Hager Fox Center at 1115 South Pennsylvania Avenue. The use of the property is subject to the following criteria:

1. Construct a parking lot on the south side of Haco Drive, using private funds. The proposed design shows the beginning of the lot 105 feet east of the Pennsylvania Avenue center line, and the termination at 355 feet east.

2. Install concrete wheel blocks, paving and concrete curbing as shown in the drawing.

3. Develop and submit a site plan which includes additional landscaping details. This needs to be reviewed and approved by the Planning Division.

a. Landscape the south side of Haco Drive right-of-way between the Pennsylvania Avenue sidewalk and begin parking lot curb.
b. Plant trees along the Pennsylvania Avenue frontage between Walsh Street and Haco Drive.
c. Design planter areas at the two corners: Walsh Street and Pennsylvania Avenue, Haco Drive and Pennsylvania Avenue.
d. Design landscaping around and within the proposed parking lot. An arrangement of five or more trees is recommended within the length of the lot.

4. Additional management resonsibilities need to be assumed by the Center owners for:

a. Snow removal and parking lot maintenance b. Enforcement of Employees Only parking policy

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #28
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1565 Roosevelt Avenue, legally described as:

1565 Roosevelt Avenue
3301 08 228 601 0
Lot 180, Knollwood Park

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on November 30, 1989, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 8, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution January 22, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located: and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford,

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Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #29
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at: 5927 Piper Road, legally described as:

5927 Piper Road
3305 05 351 021 8
Lot 29, Webster Farms #1, City of Lansing

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on November 30, 1989, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe: and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 8, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution January 22, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located: and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #30
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 5424 South Logan Street, legally described as:

5424 South Logan Street
3305 05 126 191 6
Com. 169.35 ft., NE'ly of SE'ly cor Lot 9 on W'ly line M-99, said line lying 50 ft. W'ly and par'l to CL M-99, th W par'l to N Line Lot 9 259.35 ft. to beg, th N 114 ft., W 90 ft., S 114 ft., E 90 ft. to beg; Creyt's Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on November 30, 1989, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 8, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution January 22, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for

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the collection of taxes in the City of Lansing.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #31
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2326 West Jolly Road, legally described as:

2326 West Jolly Road
3301 31 478 111 1
W 66 2/3 ft. Lot 93 and E 33 1/3 ft. Lot 92 Eco Farms

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on November 30, 1989, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 8, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution January 22, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #32
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 917 Clyde Street, legally described as:

917 Clyde Street
3301 08 454 231 2
Lot 42, Oakdale Add.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on November 30, 1989, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 8, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution January 22, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be

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collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #33
By: Economic Development Committee

RESOLUTION APPROVING PROJECT PLAN AND ISSUANCE OF BONDS

(Boys and Girls Club of Lansing Project)

Minutes of a regular meeting of the City Council of Lansing, Michigan, held at 7 o'clock p.m., Michigan Time, on January 22, 1990, at which the following members were present: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

and the following were absent: None

The following preamble and resolution were offered by and supported by

Carried unanimously

WHEREAS, this City Council has given notice pursuant to Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act") and Temporary Treasury Regulations Section 5f.103 2, of a public hearing which was held earlier by this City Council on January 8, 1990 relative to (i) the Project Plan for the Boys and Girls Club of Lansing Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the issuance of bonds by the Issuer to assist in the financing of the Project.

WHEREAS, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and the issuance of bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

WHEREAS, this City Council desires to express its approval of said Project Plan and the Project described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to request the Issuer to proceed with the Project and the financing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed $700,000 in aggregate principal amount of limited obligation economic development bonds described in the Project Plan as is required by the Code.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN))ss.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 22nd day of January, 1990, and that the minutes of said meeting are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976.

Lansing City Clerk

Resolution #34
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT a special meeting of the City Council be scheduled and announced for Thursday, January 25, at 3:30 PM, in the 10th Floor Chambers of City Hall, for the purpose of accepting bids on the sale of City of Lansing General Obligation bonds (Environmental Bonds).

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

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ABSENT: None

ORDINANCES FOR PASSAGE

Moved by Councilmember Lindemann to substitute a new Ordinance for the one listed on the Agenda.

Vote was 7/1

Motion carried

By Councilmember Lindemann

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan be revised by an ordinance to amend Part 14, Title six, of the Code of Ordinances of the City of Lansing by amending Chapter 1460, Section 1460.17, 1460.21, 1460.24 and adding a new Section 1460.29 for the purpose of providing that all bathrooms shall have at least one GFCI outlet, and providing that when the director of Building Safety Determines that a Violation or situation is dangerous to human life, the Building Safety Director may take immediate action and place the costs of correcting the violation or situation on the Tax Roll and providing that effective one (1) year from the date of passage of the Ordinance all residential structures in the City of Lansing, whether owner occupied or otherwise, shall have smoke detectors.

By Councilmember Lindemann:

That this be considered as being read in its entirety.

Carried.

By Councilmember Lindemann

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan be revised by an ordinance to amend Part 14, Title six, of the Code of Ordinances of the City of Lansing by amending Chapter 1460, Section 1460.17, 1460.21, 1460.24 and adding a new Section 1460.29 for the purpose of providing that all bathrooms shall have at least one GFCI outlet, and providing that when the director of Building Safety determines that a violation or situation is dangerous to human life, the Building Safety Director may take immediate action and place the costs of correcting the violation or situation on the Tax Roll and providing that effective one (1) year form the date of passage of the ordinance all residential structures in the City of Lansing, whether owner occupied or otherwise, shall have smoke detectors.

Motion by Councilmember Lindemann to adopt

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ORDINANCE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 14, TITLE SIX, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1460, SECTION 1460.17, 1460.21, 1460.24 AND ADDING A NEW SECTION 1460.29 FOR THE PURPOSE OF PROVIDING THAT WHEN THE DIRECTOR OF BUILDING SAFETY DETERMINES THAT A VIOLATION OR SITUATION IS DANGEROUS TO HUMAN LIFE, THE BUILDING SAFETY DIRECTOR MAY TAKE IMMEDIATE ACTION AND PLACE THE COSTS OF CORRECTING THE VIOLATION OR SITUATION ON THE TAX ROLL AND PROVIDING THAT EFFECTIVE ONE (1) YEAR FROM THE DATE OF PASSAGE OF THE ORDINANCE ALL RESIDENTIAL STRUCTURES IN THE CITY OF LANSING, WHETHER OWNER OCCUPIED OR OTHERWISE, SHALL HAVE SMOKE DETECTORS.

The City of Lansing ordains:

Section 1. That Part 14, Title Six, Chapter 1460, Section 1460.17, 1460.21, 1460.24 And adding a new Section 1460.29 of the Code of Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

1460.17 MECHANICAL REQUIREMENTS.

(a) **Heating.** Every dwelling unit and guest room shall be provided with heating facilities capable of maintaining a room temperature of seventy degrees Fahrenheit at a point three feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the Uniform Building Code, the Uniform Mechanical Code and all other applicable laws. No unvented fuel-burning heater shall be permitted. All heating devices or appliances shall be of an approved type.

(b) **Electrical Equipment.** All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type.

Where there is electrical power available within 300 feet of the premises of any building, such building shall be connected to such electrical power. Every habitable room shall contain at least two supplied electric convenience outlets or one such convenience outlet and one supplied electric light fixture. Every water closet compartment, bathroom, laundry room, furnace room and public hallway shall contain at least one supplied electric light fixture.

(c) **Ventilation.** Ventilation for rooms and areas and for fuel-burning appliances shall be provided as required in the Uniform Mechanical Code and in this chapter. Where mechanical ventilation is provided in lieu of the natural ventilation required by Section 1460.14, such mechanical ventilating system shall be maintained in operation during the occupancy of any building or portion thereof.

1460.21 HAZARDOUS OR UNSANITARY PREMISES.

(a) **In General.** Any premises or portion thereof on which there exists any of the following listed conditions shall be deemed and is hereby declared to be a substandard premises:

(1) Growth of grass and/or weeds exceeding twelve inches in height;

(2) Accumulation of junk, debris, dead organic matter, garbage, offal or rat harborages;

(3) Accumulation of combustible material or other fire hazard;

(4) Existence of any physical health hazard as determined by the County Health Officer or as defined as such by statute or ordinance; and

(5) Existence or maintenance of an attractive nuisance as defined in Section 1460.04(23)B.

(b) **Nuisances.**

(1) Any condition, the existence of which causes any premises to be substandard, as defined in this section, is hereby declared to be a nuisance and is subject to abatement pursuant to Section 1460.22, Common Law or statute. If a violation of paragraph (a)(1) THROUGH (a)(4) hereof is not corrected after notice is given pursuant to Section 1460.22, then the City, through the Director of

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Building Safety, or its contracted agent at the direction of the Director, may enter upon the premises and destroy, by cutting, any grass or weeds or remove or abate any such health hazard.

(2) Any expense, including the administration costs to the City, incurred in the destruction, removal or abatement shall be paid by the owner or party in interest in whose name the property appears on the City's real property tax assessment records.

(3) The expense incurred shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property on which the nuisance was located.

(4) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he or she fails to pay the same within thirty days after mailing, by the City Assessor, of the notice of the amount thereof, the City Assessor shall add the same to the next tax roll of the City and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.

(c) **Enforcement.** Whenever a premises is determined to have a condition that causes such premises to be a substandard premises, it shall be deemed to be a violation of Section 1460.09.

1460.24 UNSAFE OR DANGEROUS BUILDINGS.

(a) **In General.** No owner or agent thereof shall keep or maintain any unsafe or dangerous building. "Unsafe or dangerous building," as used in this section, means any building which has any of the defects or is in any of the conditions hereinafter described:

(1) Whenever any door, aisle, passageway, stairway or other means of exit does not conform to the Fire Prevention Code and the Uniform Building Code;

(2) Whenever any portion has been damaged by fire, wind, flood or any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Uniform Building Code for a new building or similar structure, purpose or location;

(3) Whenever any portion, member or appurtenance is likely to fall or become detached or dislodged, or to collapse and thereby injure persons or damage property;

(4) Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to wind than is required in the case of new construction;

(5) Whenever the building or structure, or any part thereof, because of dilapidation, deterioration, decay, faulty construction, removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning is likely to fall or give way;

(6) Whenever, for any reason whatsoever, the building or structure or any portion thereof is manifestly unsafe for the purpose for which it is used;

(7) Whenever the building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated, as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants or other persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or any lawful act;

(8) Whenever a building or structure, used or intended to be used for dwelling purposes, because of dilapidation, decay, damage, faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation, or is in a condition that is likely to cause sickness or disease when so determined by the County Health Officer, or is likely to work injury to the health, safety or general welfare of those living within; or

(9) Whenever any building becomes vacant, dilapidated and open at a door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

(b) **Vacation.** If the building or structure is in such a condition as to make it immediately dangerous to the life, limb, property or safety of the public or the occupants thereof, it shall be ordered to be vacated. A sign shall be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER
UNSAFE TO OCCUPY
It is a misdemeanor to occupy this building,
or to remove or deface this notice.
Building Safety Division
City of Lansing

No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repair, demolition or removal has been completed, until the Director of Building Safety has given written permission that the sign be removed and until a certificate of occupancy, if applicable, has been issued pursuant to the **Uniform Building Code**.

(c) **Recordation of Unsafe or Dangerous Condition.** When the Director has determined that a building is unsafe or dangerous, he or she shall file in the office of the Register of Deeds a notice describing the property and certifying that the building is an unsafe or dangerous building and that the owner has been so notified. Whenever the corrections ordered are thereafter completed or the building demolished so that it no longer exists as an unsafe or dangerous building on the property described in the notice, the Director shall file a new notice with the Register of Deeds certifying that the building has been demolished or that all required conditions have been met so that the building is no longer unsafe or dangerous.

(d) **Notices.**

(1) When the whole or any part of any building or structure is found to be in a dangerous or unsafe condition, the Director shall issue a notice of the dangerous and unsafe condition.

(2) Such notice shall be directed to the owner, agent or lessee registered with the Division of Building Safety. If no owner, agent or lessee has been registered, then the notice shall be directed to each owner of or party in interest in the building in whose name the property appears on the last local tax assessment records.

(3) The notice shall specify the time and place of a hearing on the condition of the building or structure at which time and place the person to whom the notice is directed shall have the opportunity to show cause why the building or structure should not be ordered to be demolished or otherwise made safe.

(4) The Mayor shall appoint two or more Hearing Officers to serve at his or her pleasure. At least one Hearing Officer shall be a registered engineer and no Hearing Officer shall be a City employee. There shall be a minimum of one hearing date per month. Each separate matter noticed to be heard at the hearing shall be assigned to one Hearing Officer. The Hearing Officer may consult with any other officer before making his or her finding. The Director of Building Safety shall file a copy of the notice of the dangerous or unsafe condition with the Hearing Officer.

(5) All notices shall be in writing and shall be served upon the person to whom they are directed personally, or in lieu of personal

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service may be mailed by certified mail, return receipt requested, addressed to such owner or party in interest at the address shown on the tax records, at least ten days before the date of the hearing described in the notice. In addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure.

(e) **Hearing and Costs.**

(1) The Hearing Officer shall take testimony of the Director of Building Safety, the owner of the property and any interested party. The Hearing Officer shall render his or her decision, either closing the proceedings or ordering the building to be demolished or otherwise made safe.

(2) If it is determined by the Hearing Officer that the building or structure should be demolished or otherwise made safe, he or she shall so order, fixing a time in the order for the owner, agent or lessee to comply therewith.

(3) If the owner, agent or lessee fails to appear or fails to act within two weeks from the date of the hearing, the Hearing Officer shall file a report of his or her findings and a copy of the order with Council and request that the necessary action be taken to demolish or otherwise make safe the building or structure. A copy of the findings and order of the Hearing Officer shall be served upon the owner, agent or lessee in the manner prescribed in subsection (d) hereof.

(4) Council shall fix a date for a hearing, reviewing the findings and order of the Hearing Officer, and shall give notice to the owner, agent or lessee in the manner prescribed in subsection (d) hereof of the time and place of the hearing. At the hearing, the owner, agent or lessee shall be given an opportunity to show cause why thebuilding should not be demolished or otherwise made safe, and Council shall either approve, disapprove or modify the order for the demolition or making safe of the building or structure. If Council makes the determination that the building shall be demolished or made safe, the owner, agent or lessee shall have twenty days within which to commence repairs or demolition. If, after twenty days, Council's order has not been substantially complied with, Council may order the Director of Building Safety to proceed with the work specified in such order.

(5) Any cost incurred by the City in the demolition or making safe of the building shall be a lien against the real property and shall be reported to the City Assessor who shall assess the cost against the property on which the building is located.

(6) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such costs by first class mail at the address shown on the records. If the owner or party in interest fails to pay the same within thirty days after mailing by the City Assessor of the notice of the amount thereof, the City Assessor shall add the same to the next tax roll of the City and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.

(f) **Appeals to Circuit Court.** An owner aggrieved by any final decision or order of Council under subsection (e) hereof may appeal the decision or order to the Circuit Court by filing a petition for an order of superintending control within twenty days from the date of the decision.

(G) EMERGENCY ALTERATION/REPAIRS. WHENEVER THE DIRECTOR OF BUILDING SAFETY DETERMINES THAT A CONDITION EXISTS THAT IS IMMEDIATELY DANGEROUS TO HUMAN LIFE, THE BUILDING OFFICIAL MAY ORDER EMERGENCY REPAIRS/ALTERATIONS WITHOUT NOTICE AS MAY BE REQUIRED BY OTHER SECTIONS OF THE CODE OF ORDINANCES. SUCH CONDITIONS SHALL BE DANGEROUS TO THE EXTENT THAT ANY DELAY IN TAKING CORRECTIVE ACTION WILL POSE, IN THE OPINION OF THE BUILDING SAFETY DIRECTOR, AN IMMEDIATE THREAT TO LIFE AND SAFETY.

THE BUILDING OFFICIAL, AS SOON AS PRACTICAL, SHALL NOTIFY THE TAX PAYER OF RECORD, IN WRITING, OF THE ACTION TAKEN TO CORRECT THE UNSAFE CONDITION. ALL COSTS FOR SUCH WORK SHALL BE THE RESPONSIBILITY OF THE TAX PAYER OF RECORD AND SHALL BE PLACED ON THE TAX ROLL IF NOT PAID IN FULL WITHIN 30 DAYS OF THE DATE OF THE WRITTEN NOTICE OF THE CORRECTIVE ACTION.

1460.29 SMOKE DETECTORS, INSTALLATION REQUIRED.

(A) EFFECTIVE ONE (1) YEAR FROM THE DATE OF ADOPTION OF THIS SECTION, ANY DWELLING, WHETHER A OWNER OCCUPIED, SINGLE FAMILY, TWO-FAMILY, OR MULTIPLE DWELLING, SHALL BE PROVIDED WITH SMOKE DETECTORS IN LOCATIONS SET FORTH IN SUBSECTION (C) OF THIS SECTION. THE DETECTOR SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND SHALL BE OPERATIONAL AT ALL TIMES.

(B) A SMOKE DETECTOR MAY BE BATTERY OPERATED OR MAY RECEIVE ITS PRIMARY POWER FROM THE BUILDING WIRING WHEN SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE. WIRING SHALL BE PERMANENT AND WITHOUT A DISCONNECTING SWITCH OTHER THAN THOSE REQUIRED FROM OVER CURRENT PROTECTION.

(C) DETECTORS SHALL BE MOUNTED ON THE CEILING OR WALL AT A POINT CENTRALLY LOCATED ON THE CORRIDOR OR AREA GIVING ACCESS TO EACH SEPARATE SLEEPING AREA. WHERE SLEEPING AREAS ARE ON AN UPPER LEVEL, THE SMOKE DETECTOR SHALL BE PLACED AT THE CENTER OF THE CEILING DIRECTLY ABOVE THE STAIRWAY. DETECTORS SHALL ALSO BE INSTALLED IN THE BASEMENT OF DWELLING UNITS WHICH HAVE A STAIRWAY WHICH OPENS FROM THE BASEMENT INTO THE DWELLING. DETECTORS SHALL SOUND AN ALARM AUDIBLE IN ALL SLEEPING AREAS OF THE DWELLING IN WHICH THEY ARE LOCATED.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

PUBLIC COMMENTS

Mr. Lloyd Teets who lives at 116 E. Elm Street spoke regarding the ordinance regarding smoke detectors which was passed at tonight's meeting, was not in favor of the ordinance. Mr. Teets also was upset regarding drug dealings near his property. Councilmember Ford moved to give Mr. Teets an additional minute to speak regarding his opinions.

Motion carried

Mr. Howard Jones, President of Recycling Council, spoke in support of voluntary recycling by residents until a mandatory policy is decided by Council. Mr. Jones also mentioned that Cedar Street and Pennsylvania Avenue have drop-off points for recycling.

Mr. Lester Hanson gave his blessings and best wishes to the Councilmembers for the upcoming new year.

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REMARKS BY EXECUTIVE ASSISTANT

None

REMARKS BY COUNCILMEMBERS

Councilmember Benavides spoke regarding Communication and Petition number six (6), and said other neighborhoods have flooding and drainage problems.

Councilmember Schmidt gave her comments regarding Mayor McKane's State of the City Address.

Councilmember Ford requested from Mr. Boyd a report regarding Communication and Petition number two (2) from this agenda, and to keep in touch with him.

COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned

Council adjourned at 8:00 P.M.

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 25, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
January 25, 1990

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

THIS IS A SPECIAL COUNCIL MEETING BEING HELD ON THURSDAY, JANUARY 25, 1990, 3:30 P.M. ON THE 10TH FLOOR, COUNCIL CHAMBERS.

ROLL CALL: Councilmembers Adado, Belen, Benavides, Crawford, Ford Lindemann, Schmidt and Worthington

PUBLIC COMMENT:

Mr. John W. McCloskey from Rondy & Co., spoke regarding an error in the 1984 Bond Issue.

1. A Resolution, for the purpose of accepting bids on the sale of City of Lansing General Obligation Bonds for environmental projects.

Resolution #34A

NOTICE TO BIDDERS

$7,000,000
CITY OF LANSING
Counties of Ingham and Eaton, State of Michigan
Unlimited Tax General Obligation Bonds
Series 1990

In order to assist potential bidders in compliance with the requirements of Rule 15c2-12 of the Securities and Exchange Commission, the City of Lansing has engaged Miller, Canfield, Paddock and Stone, attorneys of Lansing and Detroit, Michigan, to deliver a letter at the delivery of the Bonds solely for the benefit of the City and the original purchaser of the Bonds to the effect that

Although we have not independently verified, and are not passing upon or assuming any responsibility for, the accuracy, completeness or fairness of the statements in the Official Statement, in our capacity as bond counsel, in which capacity we have been dependent on information provided by representatives of the City of Lansing, we attended conferences and telephone conferences with representatives of the City of Lansing (which conferences did not extend beyond the date of the Official Statement), which conferences did not disclose to us any information giving us reason to believe that the Official Statement (except with respect to the information therein as to the financial condition or financial prospects of the City of Lansing, and economic, financial, statistical or quantitative information, projections or estimates, together with statements dependent upon any of the foregoing information, projections or estimates as to which we are not called upon to and do not express any view) contained as of its date, or contains as of the date of this opinion, any untrue statement of a material fact or omitted as of its date, or omits as of the date of this opinion, to state any material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances under which they are made, not misleading. We are of the opinion that the sections of the Official Statement entitled "Bond Details", "Tax Matters", "Bond Counsel's Responsibility" and "Approval By The Michigan Department of Treasury" are fair and accurate summaries in all material respects of the matters described therein.

In addition, the undersigned will provide to the initial purchaser of the Bonds a certificate solely for the benefit of the original purchaser to the effect that

the statements in the Official Statement, insofar as they relate to the City of Lansing, are accurate statements or summaries of the matters set forth therein and fairly present the information purported to be shown, and the Official Statement, as of the date thereof and as of the date of delivery of the Bonds, does not contain any untrue or misleading statment of material fact and does not omit to state a material fact necessary to make the statments made therein, in the right of circumstances under which they were made, not misleading.

Stephen W. Duarte
Director of Finance
City of Lansing, Michigan

CORRECTION

$7,000,000
CITY OF LANSING
Counties of Ingham and Eaton, State of Michigan
UNLIMITED TAX GENERAL OBLIGATION BONDS, SERIES 1990

The provisions regarding premium payable on the Bonds in the event of prior redemption which appear on Page 1 of the Preliminary Official Statement for the above captioned Bonds should read as follows:

2% of the par value of each Bond called for redemption on or after July 1, 2000, but prior to July 1, 2002;

1% of the par value of each Bond called for redemption on or after July 1, 2002, but prior to July 1, 2003.

No premium shall be paid on Bonds called for redemption on or after July 1, 2003.

The Official Notice of Sale which appears as Appendix D of the Preliminary Official Statement and which appeared in The Bond Buyer dated Wednesday, January 17, 1990 contained the correct redemption provisions. The Final Official Statement will reflect the prior redemption provisions as set forth in the Official Notice of Sale.

BOND AUTHORIZING ISSUANCE AND SALE RESOLUTION

$7,000,000
CITY OF LANSING
COUNTIES OF INGHAM AND EATON, MICHIGAN
Unlimited Tax General Obligation Bonds, Series 1990

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WHEREAS, the qualified electors of the City at an election duly called and held on August 2, 1988, did by more than the required majority of those voting approve the following proposition:

BOND PROPOSAL FOR THE PROTECTING AND RESTORING OF THE ENVIRONMENT

Shall the City of Lansing, Counties of Ingham and Eaton, borrow the principal amount of not to exceed Fifteen Million Dollars ($15,000,000), and issue its unlimited tax general obligation bonds therefor for the purpose of paying the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto?

WHEREAS, the City Council has previously approved by a two-thirds vote a work program for the expenditures of the monies to be borrowed as provided by this Resolution; and

WHEREAS, on December 27, 1988, the City issued the first series of bonds authorized by the proposition recited above;

WHEREAS, it is the determination of the City Council that at this time a second series of bonds in the principal amount of Seven Million Dollars ($7,000,000) should be issued; and

WHEREAS, the Director of Finance has set Thursday, January 25, 1990, at 2:00 o'clock p.m., Eastern Standard Time, as the date and time for opening bids for the purchase of $7,000,000 City of Lansing Unlimited Tax General obligation Bonds, Series 1990; and

WHEREAS, the Notice of Sale for the Bonds has been published in The Bond Buyer; and WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached on Exhibit A hereto have been received; and

WHEREAS, the bid designated on Exhibit A as the "Winning Bid" has been determined to produce the lowest interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The estimated period of usefulness of said improvements is not less than thirty (30) years.

2. General obligation bonds shall be issued in the amount of Seven Million Dollars ($7,000,000) for the purpose of paying part of the costs described in the proposition (the "Project"). The full faith and credit unlimited taxing power of the City shall be pledged for the prompt payment of the principal of and interest on said bonds as the same become due. Said bonds shall consist of fully-registered bonds of the denomination of multiples of $5,000 up to the amount of a single maturity, numbered consecutively in order of registration from I upwards, dated as of January 1, 1990, and payable serially on July I of each year, as follows:

Year	Principal Amount	Year	Principal Amount
1991	$ 150,000	2000	$ 350,000
1992	150,000	2001	400,000
1993	175,000	2002	425,000
1994	175,000	2003	450,000
1995	200,000	2004	475,000
1996	225,000	2005	525,000
1997	250,000	2006	575,000
1998	275,000	2007	600,000
1999	300,000	2008	625,000
		2009	675,000

Said bonds shall be designated City of Lansing UNLIMITED TAX GENERAL OBLIGATION BONDS, SERIES 1990, and shall bear interest at a rate or rates not exceeding 10% per annum, payable on July 1, 1990, and semiannually thereafter on January 1 and July 1 of each year. The Bonds shall be subject to redemption prior to maturity as provided in the form of Bond.

3. The bonds shall be executed in the name of the City with the facsimile signatures of the Mayor and the City Clerk and shall have either the City's seal or a facsimile thereof affixed thereto or imprinted thereon. No bond of this series shall be valid until authenticated by an authorized officer of the transfer agent. The bonds shall be delivered to the transfer agent for authentication and be delivered by him to the purchaser in accordance with instructions from the Director of Finance of the City upon payment of the purchase price for the bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

4. Any bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any bond or bonds shall be surrendered for transfer, the City shall execute and the transfer agent shall authenticate and deliver a new bond or bonds, for like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required to pay interest to any owner not of record as of the fifteenth (15th) day of the month next preceding any interest payment date.

5. Said bonds shall be in substantially the following form subject to any changes necessary or convenient to effect the transfer of the bonds:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING
UNLIMITED TAX GENERAL OBLIGATION BOND
SERIES 1990

Interest Rate	Date of Maturity	Date of Original Issue	CUSIP

Registered Owner:

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Principal Amount: Dollars

The City of Lansing, Counties of Ingham and Eaton, State of Michigan (the "City"), for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on July 1, 1990 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of Manufacturers National Bank of Detroit, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month next preceding the payment date as shown on the registration books of the City maintained by the Transfer Agent, by check or draft mailed to the registered owner at the registered address. For the prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are irrevocably pledged.

This bond is one of a series of bonds of even original issue date aggregating the principal sum of $7,000,000, issued as the second series of bonds for the purpose of paying part of the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto, pursuant to a vote of the qualified electors voting thereon at an election duly called and held on August 2, 1988. This bond is payable out of the Debt Retirement Fund of the City for this issue.

Bonds of this issue maturing in the years 1991 to 2000, inclusive, are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing in the years 2001 through 2009, inclusive, shall be subject to redemption, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any interest payment date or any other date if permitted by law, on or after July 1, 2000, at par and accrued interest to the date fixed for redemption, plus a premium, as follows:

2% of the par value of each bond or portion thereof called for redemption on or after July 1, 2000, but prior to July 1, 2002;

1% of the par value of each bond or portion thereof called for redemption on or after July 1, 2002, but prior to July 1, 2003.

No premium shall be paid on bonds called for redemption on or after July 1, 2003.

In case less than the full amount of an outstanding bond is called for redemption the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

This bond is transferable only upon the books of the City kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing the bonds of this series, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done, exist and have happened in regular and due time and form as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, charter or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by its City Council, has caused this bond to be executed with the facsimile signatures of its Mayor and its City Clerk and the City seal or a facsimile thereof to be affixed hereto or imprinted hereon, all as of the Date of Original Issue.

CITY OF LANSING

By _____ (facsimile)
Mayor

(SEAL)

Countersigned:

_____ (facsimile)
City Clerk

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

This bond is one of the bonds described herein.

MANUFACTURERS NATIONAL BANK
OF DETROIT
Detroit, Michigan
Transfer Agent

By _____
Authorized Signature

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6. The action of the Director of Finance in causing the notice of sale of the Bonds to be published in the The Bond Buyer, New York, New York, and setting forth the date of sale at least seven (7) days after such publication is hereby ratified and confirmed.

7. The following form of said notice of sale, as submitted to The Bond Buyer for publication, is hereby ratified and confirmed.

OFFICIAL NOTICE OF SALE
$7,000,000

CITY OF LANSING
COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN

UNLIMITED TAX GENERAL OBLIGATION BONDS
SERIES 1990

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the Mayor's office, 9th floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, 48933, on Thursday, the 25th day of January, 1990, at 2:00 o clock p.m. Eastern Standard Time, at which time and place said bids will be publicly opened and read.

IN THE ALTERNATIVE: Sealed bids will also be received simultaneously and publicly opened and read at the office of the Municipal Advisory Council of Michigan, 1158 First National Building, Detroit, Michigan 48226. Bidders may choose either location to present bids and good faith checks, but may not present bids at both locations. The bids for the bonds will be considered by the City Council at a meeting to be held at 4:00 p.m. on that date.

BOND DETAILS: Said bonds will be fully-registered bonds of the denomination of $5,000 each, or multiples thereof up to the amount of a single maturity, dated January 1, 1990, numbered consecutively in order of registration from 1 upwards and will bear interest from their date payable on July 1, 1990, and semiannually thereafter.

Said bonds will mature on the lst day of July of each year, as follows:

Year	Principal Amount	Year	Principal Amount
1991	$ 150,000	2000	$ 350,000
1992	150,000	2001	400,000
1993	175,000	2002	425,000
1994	175,000	2003	450,000
1995	200,000	2004	475,000
1996	225,000	2005	525,000
1997	250,000	2006	575,000
1998	275,000	2007	600,000
1999	300,000	2008	625,000
		2009	675,000

INTEREST RATE AND BIDDING DETAILS: The bonds will bear interest at a rate or rates not exceeding ten percent (10%) per annum, to be fixed by the bids therefor, expressed in multiples of ⅛ or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only. All bonds maturing in any one year must carry the same interest rate. The difference between the highest and the lowest interest rate bid shall not exceed three percent (3%). The interest rate on bonds maturing in any year after the year 2000 shall not be greater than the interest rate on bonds maturing in any subsequent year. No proposal for the purchase of less than all of the bonds or at a price less than 98.5% of their par value will be considered.

PRIOR REDEMPTION: Bonds of this issue maturing in the years 1991 to 2000, inclusive, are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing in the years 2001 through 2009, inclusive, shall be subject to redemption, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any interest payment date or any other date if permitted by law, on or after July 1, 2000, at par and accrued interest to the date fixed for redemption, plus a premium, as follows:

2% of the par value of each Bond called for redemption on or after July 1, 2000, but prior to July 1, 2002;

1% of the par value of each Bond called for redemption on or after July l, 2002, but prior to July 1, 2003.

No premium will be paid on bonds called for redemption on or after July l, 2003.

In case less than the full amount of an outstanding bond is called for redemption the transfer agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the holders of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at the corporate trust office of Manufacturers National Bank of Detroit, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any change in transfer agent. Interest shall be paid by check mailed to the owner as shown by the registration books of the City as of the fifteenth (15th) day of the month preceding the interest payment date. The bonds will be transferable only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds were authorized at an election held August 2, 1988 and are issued for the purpose of paying the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto.

The bonds will pledge the full faith and credit of the City for payment of the principal and interest thereon and will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount. The rights and remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance, or other laws affecting creditors rights generally and by the application of general principles of equity including those relating to equitable

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subordination, now existing or hereafter enacted.

GOOD FAITH: A certified or cashier's check in the amount of $140,000, drawn upon an incorporated bank or trust company and payable to the order of the Treasurer of the City, must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks, and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail. The good faith check of the successful bidder will be immediately cashed, and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining at the rate or rates specified in the bid the total dollar value of all interest on the bonds from January 1, 1990, to their maturity and deducting therefrom any premium or adding thereto any discount.

LEGAL OPINION: Bids shall be conditioned upon the unqualified approving opinion of Miller, Canfield, Paddock and Stone, attorneys of Lansing and Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue their unqualified approving opinion as to the validity of the above bonds, Miller, Canfield, Paddock and Stone has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of bond counsel, assuming compliance with certain covenants, interest on the bonds is excluded from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance taxes and taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, by January 29, 1990, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986. The City has ***not*** designated the Bonds as qualified tax exempt obligations as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

CUSIP: CUSIP numbers will be imprinted on all Bonds of this issue at the City's expense. An improperly printed number will not constitute basis for the purchaser to refuse to accept delivery.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at New York, New York, Chicago, Illinois, or Detroit, Michigan or such other place as may be agreed upon with the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Standard Time, on the 45th day following the date of sale or the first business day thereafter if said 45th day is not a business day, the successful bidder may, on that day or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned, in which event the City shall promptly return the good faith deposit. Payment for the Bonds must be made in federal reserve funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to delivery of the bonds, the bonds will be delivered in the form of a single certificate for each maturity registered in the name of the purchaser.

OFFICIAL STATEMENT: A preliminary official statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission has been prepared and may be obtained from Mr. Stephen W. Duarte, Director of Finance, City of Lansing, City Hall, Eighth Floor, 124 West Michigan Avenue, Lansing, Michigan, 48933. The City will furnish, upon request of the successful bidder, copies of the final Official Statement relating to the above described issue within seven days from the date of sale specified above, in sufficient amounts to permit the successful bidder to comply with Rule 15c2-12 of the Securities and Exchange Commission. The ***first 400 copies*** will be delivered at the expense of the City. Additional copies will be supplied upon the bidder's agreement to pay the reasonable copying charges of the City for those copies. The request of the successful bidder to the City should be made to Julia Baker, Miller, Canfield, Paddock and Stone, Lansing, Michigan, telephone number (517) 487-2070, facsimile number (517) 374-6304, within 24 hours of the date and time of the sale, and should set forth the number of copies requested and the person and place to whom the final Official Statements should be delivered.

FURTHER INFORMATION: Further information with respect to said Bonds may be obtained from Mr. Stephen W. Duarte, Director of Finance, City of Lansing, City Hall, Eighth Floor, 124 West Michigan Avenue, Lansing, Michigan 48933. Telephone (517) 483-4500.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for General Obligation Bonds".

James D. Blair
City Clerk
City of Lansing, Michigan

8. There shall be established and maintained a fund to be designated 1990 GENERAL OBLIGATION BONDS DEBT RETIREMENT FUND, into said fund there shall be placed the accrued interest and premium, if any, received at the time of delivery of said bonds. The moneys deposited into said fund shall be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited as collected into the Debt Retirement Fund. Commencing with the fiscal year

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starting July 1, 1990, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due next following the levy and before the time of collection of the next following tax levy. If at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for said fund.

9. There shall be established and maintained a separate fund, to be designated 1990 GENERAL OBLIGATION BONDS ENVIRONMENTAL PROGRAM FUND, into which shall be placed the proceeds of sale of the bonds (except accrued interest, and premium, if any) and from which fund there shall be paid the cost of the Project in accordance with the work program for expenditures of the monies which was approved by the City Council.

10. The City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to the Internal Revenue Code of 1986, as amended, (the "Code") and the applicable regulations thereunder, or under the predecessor code thereof, in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of the Code and such applicable regulations. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control necessary to maintain the exemption of the interest on the Bonds from the general federal income taxation (as opposed to alternative minimum income or other indirect taxation) under federal tax law existing as of the date of delivery of the Bonds.

11. Manufacturers National Bank of Detroit, Detroit, Michigan is hereby approved as transfer agent for the Bonds.

12. The Winning Bid designated on Exhibit A is hereby accepted. Checks of unsuccessful bidders shall be returned to each bidder's representative or by registered mail.

13. Preparation and distribution by the Director of Finance of the City of the Preliminary Official Statement for the Bonds dated January 15, 1990 is hereby ratified and approved. The City deems said Preliminary Official Statement for the Bonds to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission. The City Director of Finance is hereby directed to prepare and distribute a Final Official Statement in substantially the form of said Preliminary Official Statement.

14. All resolutions and parts of resolutions, ordinances and orders insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. This Resolution shall become effective immediately upon its adoption.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, at a Special meeting held on January 25, 1990, at 3:30 o'clock p.m., Michigan Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting _____.

and that the following Members were absent _____

_____.

I further certify that Member _____ moved adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____

_____

and that the following Members voted against adoption of said resolution: _____

_____.

_____

City Clerk

50796/0018
JKBL8/182/ksc

EXHIBIT A

Bidder	Maturity	Interest Rate	Discount	Average Interest Rate	Net Interest Cost
WINNING BID:	1991	6.00 %	$105,000	6.9180%	$6,297,121.88
	1992	6.00			
Blunt, Ellis &	1993	6.10			
Loewi, Inc.	1994	6.20			
	1995	6.30			
	1996	6.30			
	1997	6.40			
	1998	6.40			
	1999	6.50			
	2000	6.60			
	2001	6 5/8			
	2002	6.75			
	2003	6.75			
	2004	6.80			
	2005	6 7/8			
	2006	6.90			
	2007	6.90			
	2008	7.00			
	2009	7.00			

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EXHIBIT A

Bidder	Maturity	Interest Rate	Discount	Average Interest Rate	Net Interest Cost
Van Kampen Merritt Inc.	1991	9.625%	$105,000	6.959915%	$6,335,262.55
	1992	9.625			
	1993	9.625			
	1994	9.625			
	1995	9.625			
	1996	9.625			
	1997	9.625			
	1998	6.625			
	1999	6.70			
	2000	6.75			
	2001	6.625			
	2002	6.625			
	2003	6.625			
	2004	6.625			
	2005	6.625			
	2006	6.625			
	2007	6.625			
	2008	6.625			
	2009	6.625			

EXHIBIT A

Bidder	Maturity	Interest Rate	Premium or Discount	Average Interest Rate	Net Interest Cost
Prescott, Ball & Turben, Inc.	1991	9.625%	$105,000	6.9738293%	$6,347,928.13
	1992	9.625			
	1993	9.625			
Old Kent Bank of Lansing	1994	9.625			
	1995	9.625			
	1996	9.00			
	1997	6.625			
	1998	6.625			
	1999	9.60			
	2000	6.625			
	2001	6.625			
	2002	6.625			
	2003	6.625			
	2004	6.625			
	2005	6.625			
	2006	6.625			
	2007	6.625			
	2008	6.625			
	2009	6.625			

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EXHIBIT A

Bidder	Maturity	Interest Rate	Discount	Average Interest Rate	Net Interest Cost
Managers:					
The Northern Trust Company	1991	6.00%	$92,784	6.9761%	$6,350,084
	1992	6.00%			
Harris Trust & Savings Bank	1993	6.10			
	1994	6.20			
	1995	6.25			
First of Michigan	1996	6.30			
	1997	6.40			
	1998	6.50			
Robert W. Baird & Co., Inc.	1999	6.60			
	2000	6.70			
	2001	6.80			
in association with:	2002	6.80			
	2003	6.90			
	2004	6.90			
Hutchinson, Shockey, Erley & Co.	2005	7.00			
	2006	7.00			
	2007	7.00			
	2008	7.00			
The Illinois Company	2009	7.00			
First Charlotte Corporation					

EXHIBIT A

Bidder	Maturity	Interest Rate	Discount	Average Interest Rate	Net Interest Cost
A.G. Edwards & Sons, Inc.	1991	6.00%	$100,100	6.99104%	$6,363,593.75
	1992	6.10			
	1993	6.20			
	1994	6.25			
	1995	6.30			
	1996	6.35			
	1997	6.45			
	1998	6.55			
	1999	6.65			
	2000	6.70			
	2001	6.80			
	2002	6.80			
	2003	6.90			
	2004	6.90			
	2005	7.00			
	2006	7.00			
	2007	7.00			
	2008	7.00			
	2009	7.00			

Adopted by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

Meeting was adjourned by Council President Belen at 4:06 P.M.

James D. Blair
City Clerk
City of Lansing, Michigan

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 29, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
January 29, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were given by Councilmember Adado.

Motion by Councilmember Adado that Council proceedings for January 2, 1990 be approved as printed.

Carried unanimously.

Motion by Councilmember Worthington to suspend Council Rule #11 to accept several late letters submitted in protest of the special assessment rolls set for Public Hearing this evening.

Carried unanimously.

PUBLIC HEARINGS

January 29, 1990 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall, being the time set for holding a hearing on the Special Land Use SLU-14-89, several properties at the southeast corner of Pine and Lenawee Sts. including five (5) vacant parcels and 525 West Lenawee St. for use as a parking lot.

The Council President announced that if anyone was present who had any suggestions or objections to make to the proposed Special Land Use, they had the privilege of speaking at this time.

Michael Williams, representing Freda Thomas, spoke in opposition to the demolition of the house at 525 Lenawee Street. A petition was received from fourteen residents of South Pine Street opposing SLU-14-89. A letter was also received from Wayne A. Erickson of 525 South Pine Street opposing this Special Land Use.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

REVIEWING ASSESSMENT ROLLS

This is the time January 29, 1990 set for hearing appeals on the special assessment roll No. B-25—Project PS# 37046 for sidewalk repairs on Downer Ave., Newton, Merrill, Clemens, Fairview, Magnolia, Hayford, Foster, Mifflin, Francis, Vine, North 8th St., Jerome, Pennsylvania, Custer, Elvin, Horton, Clifford, Eureka, Kalamazoo, Lathrop, Allen, Shepard, Prospect, Leslie, Regent, Elizabeth, and Marcus.

Assessment Roll No. B-22—Project PS# 36225 for sidewalk reconstruction on E. Michigan Avenue (300 to 400 Blks.)

Assessment Roll No. B-24—Project PS# 77078 for scattered sidewalk reconstruction on Riverfront Park, Center, E. Oakland, Clemens, Cedar, Saginaw, Lincoln, S. Pennsylvania S. Washington, and Ramada Dr.

Assessment Roll No. B-26—Project PS# 14122 for scattered sidewalk reconstruction on Turner, Randolph, Gary, Amherst, W. Oakland, Elizabeth, S. Clemens, S. Pennsylvania, S. Capitol, W. Kalamazoo, W. St. Joseph, E. Hillsdale, S. Washington Sq., S. Grand, W. Ottawa, Verlinden, Kingsley S. Butler, and W. Lenawee St.

Assessment Roll No. B-27—Project PS# 16054 for sidewalk reconstruction on N. Larch, and E. Grand River Ave. area.

Assessment Roll No. A-40—Project PS# 76126 for new sidewalks at 5525 S. Cedar St. and 531 E. Northrup St.

The Council President announced that if anyone was present who had any suggestions or objections to make to the Special Assessment Rolls B-25, B-22, B-24, B-26, B-27 or A-40, they had the privilege of speaking at this time.

Cleo Mock spoke regarding the Health Court sidewalk assessment and felt that a mistake had been made regarding Bethany Baptist Church's sidewalk.

A packet of information was submitted by Arthur Nusbaum who represents Robau Association, Ltd., Penn Mall Plaza, regarding the sidewalk assessment. He said that his Company repaired the sidewalks, not the City of Lansing, and asked to speak to Howard McCaffrey about the problem.

Marvin Gladstone spoke regarding sidewalk assessment B-22 regarding the costs and the overhead. He requested a tax abatement.

Oliver Daily, Lloyd Blackman, Annette Parks, Douglas Weaver (representing T. J. Weaver), Paul Misch (representing Ramada Inn), Richard Coppenbarger, G. R. Wummel, H. H. Shan and Gary Masters all spoke regarding the special assessment they received.

In addition, fourteen letters were received and placed on file from residents objecting to the special assessment rolls.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

January 29, 1990 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the make-safe or demolition of property located at 3207 Ingham Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they would have the privilege of speaking at this time.

Jim Crews, representing the property at 3207 Ingham Street, asked

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that the demolition be postponed pending the outcome of a Court hearing set for February or March.

Councilmember Benavides spoke in support of the demolition of the property at 3207 Ingham Street.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICER AND BOARD REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION (TIME LIMIT: 5 MINUTES PER SPEAKER)

No speakers

COMMUNICATIONS AND PETITIONS

1. Letter from Charles F. Young, Deputy Ingham County Controller regarding Special Assessment assessed to County for a new sidewalk

REFERRED TO WAYS AND MEANS COMMITTEE, MAYOR AND CITY ATTORNEY

2. Application submitted for a transfer of ownership of a Commercial Facilities Exemption Certificate for Shanoras Beauty and Barber Supplies and Clothing at 2215 West Holmes Road

REFERRED TO THE MAYOR AND ECONOMIC DEVELOPMENT

3. Petition for SLU-1-90 -1320 North Grand River Avenue filed by Richard Reaume, for addition to existing dining room

REFERRED TO THE MAYOR AND PLANNING BOARD

4. Letter from Senator Donald W. Riegle, Jr., giving his comments regarding the Financial Institutions Reform, Recovery and Enforcement Act of 1989

RECEIVED AND PLACED ON FILE

5. State of Michigan, Public Service Commission submits a Notice of Hearing in the matter of Consumers Power Company:

a. An energy conservation report

b. A reconciliation of Gas Cost Recovery costs and revenues for calendar year 1989

RECEIVED AND PLACED ON FILE

6. Letter from Michigan Municipal League announcing, "Annual Legislative Conference," that will be held Wednesday, March 28, 1990 in Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

7. Letters of appeal for sidewalk repair from:

a. Mr. and Mrs. Robert Auvenshine, 248 Horton Avenue

b. Geneva Gilbert, 231 Lathrop Street

REFERRED TO THE MAYOR AND CITY ATTORNEY

8. Letter from Greater Lansing Convention/Exhibition Authority submitting financial reports governing the period ending December 31, 1989, clarifying the results from the second quarter

REFERRED TO THE MAYOR, WAYS AND MEANS COMMITTEE AND INTERNAL AUDIT

9. Letter from David Taylor regarding a Special Assessment, assessed to his property at 5935 Hilliard Road

REFERRED TO CITY ATTORNEY

MAYOR'S COMMENTS

The Mayor commented on letters 2b, 2c, 2d, 2e and 2g

CITY OFFICER AND BOARD REPORTS
for Information or Referral or Action

January 26, 1990
President Belen and Members of the Lansing City Council
l0th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached list of applications for licenses and bonds have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: William E. Cole, Valeriu Martin, Glenn McCandliss, Dennis Darling, P. Post
TRANSFER OF OWNERSHIP SDD-SDM LICENSE: 800 W. Mt. Hope Avenue

Sincerely,

James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

That the City Council concurs with the recommendation of the City Clerk for approval of the recommended licenses and bonds.

Carried Unanimously

Councilmember Worthington out of Chambers.

Letters 2a-2h from the Mayor received and referred to Physical Development and Public Safety Committees.

3. Letter and recommendation from Council President Lucile Belen written to Terrence R. Duvernay, Executive Director Michigan State Housing Development Authority regarding application to assist the public and private efforts to rehabilitate low cost housing in the City of Lansing.

RECEIVED AND PLACED ON FILE

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred: The Audit Reports of the Lansing Board of Water and Light for the fiscal years ending June 30, 1988 and 1989.

Reports As Follows: Representatives from the Audit Firm of Touche Ross presented the audit findings. There were no audit "exceptions", or significant findings. Net income for the year was nearly $27,000,000, an increase of over $5,000,000 as compared to the prior year. The equity position increased by over $23,000,000 to approximately $278,500,000. The Committee was informed by

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Board Management that reserves are being accumulated in order to minimize future rate increases as facility expansion proceeds.

The Pension Fund Audit was also favorable as Pension Fund assets increased to nearly $99,000,000. Touche Ross representatives deemed the pension fund "Very sound."

By Councilmember Benavides:

That the report of the Committee be approved.

Carried UNANIMOUSLY

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred:The Audit Report of the Greater Lansing Convention/Exhibition Authority for the fiscal years ending June 30, 1988 and 1989.

Reports As Follows: Representatives of the Audit Firm of Touche Ross presented the audit findings. Significant findings discussed, and managements response to these findings are presented as follows:

1. The Auditor's letter suggests that liability insurance coverage be evaluated. Authority Management responded that this will be done. The Committee also requested that a recommendation on this item be provided by City Staff.

2. The Auditors recommend that the section of the lease agreement requiring City approval of capital expenditures be amended to provide a specific dollar amount. The auditors and Authority Management both recommend $10,000.

3. The Auditors noted that a number of purchases were made without comparative quotes. Authority management stated they will amend the purchasing procedures adopted in June of 1989 to govern emergency repairs, sole source suppliers, etc.

The Committee also discussed the following items deemed noteworthy:

1. While total revenues increased 7% for F.Y. 89, Building Rental revenue decreased by 9%. Management attributed the deadline in rental revenue to a decline in Civic Arena bookings caused by uncertainty over the Arena's long-term availability, and to a number of non-recurring events held at the Lansing Center in F.Y. 88.

2. Marketing expenses were down 44% due to the reduced subsidy level.

3. Retained earnings for the year increased by $57,083, to $529,133.

By Councilmember Benavides:

That the report of the Committee be approved.

Carried UNANIMOUSLY

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred: The Audit Report of the Lansing Housing Commission for the fiscal year ending June 30, 1989.

Reports As Follows: Representatives from the Audit Firm of Touche Ross presented the Audit findings. The Committee was informed that the findings of real or potential problems delineated in the audit report were almost the same as those of a year ago. The findings were characterized by the Touche Ross representatives as "Borderline Serious." Touche Ross also reaffirmed their prior opinion that the Housing Commission should arrange for a controller or similar position devoted solely to the management of the Housing Commission's financial affairs.

The Committee has found the audit report to be of notable concern and has, therefore, requested the Housing Commission to respond "point by point" to the Audit findings. The Committee has also requested the Administration to make recommendations addressing the Audit findings.

By Councilmember Benavides:

That the report of the Committee be approved.

Carried UNANIMOUSLY

Resolution #35

PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

THAT the special assessment roll for the WEST MILLER ROAD RECONSTRUCTION, PS 84023

Assessment Roll 315
PROPERTY BENEFITED: All lands fronting W. Miller Road between Logan & Pleasant Grove excepting all public streets and other land deemed not benefited.

as returned by the City Assessor, be and the same is hereby ratified and confirmed, and the Mayor be and hereby is authorized to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before 90 days from January 29, 1990.

By Councilmember Worthington.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, and Worthington

NAYS: None

ABSENT: None

Resolution #36

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-146 which authorizes the operation of the traffic signal device at the intersection of Jolly Road and Pennsylvania Avenue.

ADOPTED BY THE FOLLOWING VOTE:

By Councilmember Crawford.

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

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Resolution #37
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-142 which authorizes the permanent installation of the temporary four-way stop at the intersection of Douglas Avenue and Gary Avenue.

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #38
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-141 which authorizes the installation of a yield sign on northbound Eastlawn Drive at Hazelwood Drive.

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #39
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-140 which authorizes the installation of stop signs on Maplewood Avenue at Norman Street.

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #40
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-138 which authorizes changing the existing yield signs on Deerfield Avenue at Hillcrest Street to stop signs.

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #41
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-139 which authorizes changing the existing yield sign on Hillcrest Street at Wainwright Avenue to a stop sign

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

Nays: None

ABSENT: None

Resolution #42
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-143 which authorizes the permanent installation of the temporary three way stop at the intersection of Benjamin Drive and Douglas Avenue.

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #43
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 89-144 which authorizes the installation of a no parking zone on the south side of Elizabeth Strcet from Clifford Street to Clemens Avenue.

By Councilmember Crawford.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

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Resolution #44
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marlene VanHouten filed a claim against the City of Lansing; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee approved a motion to concur with the City Attorney's recommendation to deny the claim, and reported same to the claimant; and

WHEREAS, Ms. VanHouten appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and approved a motion to concur with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Ms. Marlene VanHouten; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

That this resolution be approved:

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #45
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Roger Weber filed a claim against the City for $547.00; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Mr. Weber appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence that supported his claim; and

WHEREAS, based on the claimant's testimony and evidence, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Mr. Weber in the amount of $547.00; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

That this resolution be approved:

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #46
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Rod Marolf filed a claim against the City for $1,393.84; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Mr. Marolf appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony that the piece of cement which caused the blockage may have been the result of faulty construction; and

WHEREAS, based on the claimant's testimony, the Committee recommends partial approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Mr. Rod Marolf in the total amount of $400.00; and

BE IT FINALLY RESOLVED that payment of this amount shall not occur until a release is signed by the claimant.

By Councilmember Schmidt:

That this resolution be approved.

ADOPTED by the following vote:

Yeas: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann and Schmidt

NAYS: Councilmember Worthington

ABSENT: None

Resolution #47
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Plant Rehabilitation District IPR-7-83, at 1305 S. Cedar Street and has issued an Industrial Facilities Exemption Certificate to Ryerson & Haynes, Inc. at that site; and

WHEREAS, Jackson Assembly Enterprises, Inc has applied for the transfer of this Industrial Facilities Exemption Certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this

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council's taking action on Jackson Assembly Enterprises' application for the transfer of the Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Plant Rehabilitation District IPR-7-83; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, February 19, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Schmidt:

That this resolution be approved.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

Resolution #48
BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, over the past several years, telecommunications companies in Japan, France, Italy and other countries have offered an increasing variety of services and products to their customers, bringing the people of these nations to the cutting edge of technology associated with the new Information Age; and

WHEREAS, although the United States was once the world's leader in the telecommunications industry, current federal policy restrictions prevent Bell Operating Companies from manufacturing telecommunications equipment and providing information services content to customers, leaving Americans far behind in the world marketplace of information; and

WHEREAS, H.R.2140, "The Consumer Telecommunications Services Act of 1989," has been introduced in the U.S. House of Representatives to remove the manufacturing and information services restrictions through an amendment to the Communications Act of 1934; and

WHEREAS, if passed, this legislation could lead to more jobs and an improved economy in America as well as an immediate improvement in the number and kinds of information services available to consumers;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby expresses its support for H.R.2140, "The Consumer Telecommunications Services Act of 1989," due to its expected benefits of new jobs, new consumer services, and an improvement in America's ability to compete in the world marketplace; and

BE IT FURTHER RESOLVED the Council President is hereby directed to furnish a copy of this resolution to the Members of Congress who represent Lansing.

By Councilmember Ford:

That this resolution be approved.

ADOPTED by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: None

PUBLIC COMMENTS

Ralph Harshbarger who resides at 3336 Avalon Street, was not in favor of the Mayor's one mil increase in taxes for drug problems; his suggestion was to tax all Lansing residents, not just the property owners.

Deborah Adams, 1316 W. Edgewood Blvd. #A, spoke against the renaming of Edgewood Blvd. to Georgetown Blvd. without her being notified.

Mohammed Frank Curtis spoke regarding renaming Edgewood Blvd. and made other comments.

REMARKS BY THE MAYOR

Mayor McKane gave his comments regarding the Mayor's Conference in Washington. He said that the President of the United States and Senator Joseph Biden presented their versions of a "Drug War Package" at this conference. HUD representatives at this conference said that the housing program would be passed soon.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides announced that the Ways and Means Comittee will not meet this week.

Councilmember Crawford announced that the Public Safety Committee will not meet this week.

Councilmember Schmidt made comments about complaints she has received regarding public parking on front lawns. She gave the Building Division phone number to report to if anyone sees someone parking on front lawns.

Council President Belen mentioned that she has been seeing cars and trucks blocking sidewalks.

Councilmember Worthington made an announcement that the Physical Development Committee will meet regarding the Special Sidewalk Assessment on Thursday, February 8, 1990 after all complaints have been reviewed by the Public Service Department.

Councilmember Adado passed on information regarding a request for bid submission for a new car for the Mayor. He also made comments to the Mayor regarding the new "Drug Crack Unit" and how good it will be to have additional police officers. He also commented on the appropriations for software for the City.

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BY COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned.

Council adjourned at 8:50 P.M.

James D. Blair
City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, February 5, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
February 5, 1990

The City Council of the City of Lansing, Michigan met in regular session at 7:00 P.M., and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation was given by Councilmember Schmidt and the Pledge of Allegiance was given by students from Pattengill Junior High School.

A motion was made by Councilmember Schmidt, to accept the minutes of Council proceedings for January 8, 1990, as printed.

Motion was unanimously approved.

A motion was made by Councilmember Benavides that Council Rule # 11 be suspended to receive the late items.

Motion was unanimously approved. (See CONSIDERATION OF LATE ITEMS For Handling)

PUBLIC HEARINGS

February 5, 1990 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set for holding public hearing on the establishment of the Cherry Hill Historic District Commission.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Ordinance, they would have the privilege of speaking at this time.

Judy Gardi made a presentation in support of the Cherry Hill Historic District and stated that she had received signatures of support from 95% of the property owners within the boundaries of the District.

Alfred Eger of 1214 N. Genesee Drive, member of the Lansing Historic District Commission, spoke in favor or the Cherry Hill Historic District.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

February 5, 1990 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall being the time set for holding a public hearing on the proposed special Land Use SLU-16-89, 521 Lincoln Avenue, to allow for expansion of employee parking to serve the dry cleaning business located at 2423 South Cedar Street and to allow for development of a landscaped buffer strip between the parking lot and residential area to the east.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Special Land Use, they had the privilege of speaking at this time.

Bruce Stewart representing Baryames Cleaners was present to answer any questions regarding SLU-16-89—521 Lincoln Avenue.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICER AND BOARD REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5 minutes per speaker)

NO SPEAKERS

SPECIAL CEREMONIES

The Mayor presented Mr. David Callanan of the Arthritis Foundation who annouced that there will be a Mini Grand Prix on July 4, 1990. He presented maps of the race to the Council and answered questions.

The Mayor presented a proclamation to Mr. Gregory Smith of the American Red Cross regarding AIDS PREVENTION MONTH (See Mayor's Letter #2A)

COMMUNICATIONS AND PETITIONS

1. Application for Industrial Facilities Exemption Certificate filed by O'Leary Paint Company located at 415 Baker Street

REFERRED TO THE MAYOR AND
ECONOMIC DEVELOPMENT BOARD

2. Letter from George H. Scarlett, retired fireman, expressing his views regarding the "Police and Firemans' Retirement Plan"

RECEIVED AND PLACED ON FILE

3. Letter from Faith and Randy Clark protesting raising of taxes to fund the war on drugs

REFERRED TO THE MAYOR

4. Letter from Joseph P. Maguire of the Wolverine Development Corporation objecting to certain provisions in the proposed Sign Code for the City of Lansing

REFERRED TO PHYSICAL DEVELOPMENT

5. Letter from Robert W. Lundy, Officer in the Michigan Organization for Human Rights, requesting that the City waive costs associated with a march (parade permit) scheduled for Sunday, June 24, 1990

REFERRED TO THE MAYOR AND
WAYS AND MEANS COMMITTEE

6. Letter from Edward H. Lawrence, on behalf of Audrey Hellmayer, protesting Special Assessment Roll B-25

REFERRED TO THE CITY ATTORNEY

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7. Michigan Environmental Protection Report #6 regarding Motor Wheel Disposal Superfund Site

RECEIVED AND PLACED ON FILE

8. Public Notice submitted by Michigan Water Resources Commission regarding their proposal to modify Discharge Permit No. MI0023400

RECEIVED AND PLACED ON FILE

9. Letter from the Westside Neighborhood Association and Neighborhood Watch #120 requesting an amendment to Ordinance Number 811

REFERRED TO PHYSICAL DEVELOPMENT

10. Letter from Rick Kibbey, Chairperson for Cedar-Larch CDC, regarding the new parking plan in downtown Lansing

REFERRED TO THE MAYOR AND
PHYSICAL DEVELOPMENT

REMARKS BY MAYOR

The Mayor reviewed his letters 2B-2I.

CITY OFFICER AND BOARD REPORTS
for Information or Referral or Action

February 1, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached list of applications for licenses and bonds have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: John Moran, Earl L. Mosher, Jr. Andrew L. Newcomer

CERTIFIED MASSAGE THERAPIST: Kristin Cunningham

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

By Councilmember Adado

Motion for approval of public drivers and certified massage therapists as recommended by the City Clerk

Unanimously approved

February 1, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

Attached herewith are applications for Public Drivers Licenses returned unsigned from the Lansing Police Department for:

William Andrew Bell under section 872.23 (b) 3 D and

Matthew Stephen Basser under section 872.23 (b)

Sincerely,
James D. Blair
City Clerk

REFERRED TO GENERAL SERVICES & CITY ATTORNEY

2) LETTERS FROM THE MAYOR

A. Proclamation concerning AIDS prevention month

RECEIVED AND PLACED ON FILE

B. Communication from Lansing Housing Commission regarding status of Commission's attempts to correct compliance deficiencies

REFERRED TO THE WAYS AND MEANS COMMITTEE

C. Listing of Ethel Apartments, 117 South Hosmer Street, in State Register of Historic Sites

RECEIVED AND PLACED ON FILE

D. Listing of Penfil Apartments, 108-100 South Hosmer Street in the State Register of Historic Sites

RECEIVED AND PLACED ON FILE

E. Rescheduling of February Park Board Meeting to February 7, 1990

RECEIVED AND PLACED ON FILE
WITH COPY TO COUNCIL STAFF

F. Appointment of Robert E. Krebs to the Capitol Area Rail Council for a permanent term

REFERRED TO THE GENERAL SERVICES COMMITTEE

G. City of Lansing Comprehensive Annual Financial Report for Year Ending June 30, 1990

REFERRED TO THE WAYS AND MEANS COMMITTEE

H. Letter from Robert C. Jenkins, B-O-C Lansing Powertrain Plant, regarding notice of plant closing pursuant to the W.A.R.N. Act

RECEIVED AND PLACED ON FILE

I. TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: January 29, 1990
SUBJ: Trash Violation Special Assessment (v-20) $1,852.23 (Itemized list of private properties which had trash and debris in the R.O.W. removed by the Public Service Department.)

The attached violation/assessment fees are submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides

Motion to adopt recommendation of the Mayor

Adopted unanimously

COMMITTEE REPORTS

There were no Committee Reports

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Resolution #49
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 1990, at 7 p.m. in the 10th floor Chambers of City Council for the purpose of opposing and/or approving Special Land Use—SLU-17-89—725 East Saginaw St. for improvement and expansion of parking lot in a "C" Residential Zoning District Located on the East Side of the Prudden Place Building.

Motion by Councilmember Worthington that Resolution be adopted

Adopted unanimously.

Resolution #50
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 1990, at 7 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving Special Land Use—SLU-18-89—200 Block of West St. Joseph Street to allow for construction of a commercial surface off-street parking lot for approximately 76 cars.

Motion by Councilmember Worthington that Resolution be adopted

Adopted unanimously.

Resolution #51
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 1990, at 7 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving Special Land Use—SLU-19-89—2733/2735 South Washington Avenue and 2717/2721/2729 South Washington Avenue, vacant Parcels to establish a patient family guest house for fifteen guest rooms designed to accommodate family members of patients, typically in critical care.

Motion by Councilmember Worthington that Resolution be adopted

Unanimously adopted.

Resolution #52
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 1990, at 7 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving Special Land Use—SLU-20-89—204 East Mt. Hope Ave. to establish an adult foster care facility for ten (10) elderly women.

Motion by Councilmember Worthington that Resolution be adopted

Unanimously adopted.

Resolution #53
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 1990 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving rezoning petition Z-23-89—1124 East Mt. Hope Avenue to be rezoned from "J" Parking District to "F" Commercial District.

Motion by Councilmember Worthington that Resolution be adopted

Unanimously adopted.

Resolution #54
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 26, 1990 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving rezoning petition Z-24-89—204 East Mt. Hope Avenue to be rezoned from "D-1" Professional Office District to "C" Residential District.

Motion by Councilmember Worthington that Resolution be adopted

Unanimously adopted.

Resolution #55
PUBLIC IMPROVEMENT I

By Committee on Physical Development

RESOLVED, by the Mayor and City Council of the City of Lansing that it is hereby determined to be a public necessity to construct curb & gutter, sanitary sewer and necessary storm drainage in Jolly Road from Devonshire to Aurelius and curb & gutter in Aurelius Road from the intersection of Jolly south 360 feet.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and the City's share from account #403-452-000-974.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to acquire the necessary permanent easements and to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

Motion by Councilmember Worthington that Resolution be adopted

Unanimously adopted.

Resolution #56
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-3-84, at 2215 West Holmes Road and has issued a Commercial Facilities Exemption Certificate for a new facility at that site to Ted Freidinger; and

WHEREAS, Shanoras Beauty & Barber Supplies & Clothing has applied for the transfer of this Commercial Facilities Exemption Certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Shanoras Beauty & Barber Supplies & Clothing's application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

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BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-3-84; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, February 26, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Motion by Councilmember Adado that Resolution be adopted

Unanimously adopted.

Resolution #57
BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Sparrow Memorials and Endowment Foundation/Sparrow Hospital Foundation has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes Sparrow Memorials and Endowment Foundation/Sparrow Hospital Foundation as a non-profit organization.

Date: February 5, 1990

Motion by Councilmember Adado that Resolution be adopted

Unanimously adopted.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinance be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-23-89—1124 East Mt. Hope Avenue to be rezoned from "J" Parking District to "F" Commercial District

Z-24-89—204 East Mt. Hope Avenue to be rezoned from "D-1" Professional Office District to "C" Residential District

was introduced by Councilmember Worthington, read a first and second time and referred to the Physical Development Committee.

ORDINANCES FOR PASSAGE

None

CONSIDERATION OF LATE ITEMS

Councilmember Benavides submitted a petition bearing sixy (60) signatures of residents of Woodbridge Commons who are opposed to the renaming of Edgewood Blvd. to Georgetown Blvd.

Councilmember Schmidt submitted a letter from Sandra Clemons-Ray of 2006 Provincial House Drive regarding an alleged error made on the assessed valuation of her property.

Councilmember Ford requested that Deborah Mulcahey and Paul Novak be allowed to speak regarding Chapter 811 of the City Code.

Councilmember Worthington moved that a public hearing be set for February 12, 1990 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of amending the Historic District Commission Ordinance by lowering the percentage of signatures required to create an Historic District.

PUBLIC MAY COMMENT
(TIME LIMIT—3 MINUTES PER SPEAKER)

Paul Novak of the Westside Neighborhood Association requested consideration of an expansion of membership of the 7 Block Neighborhood Development Area at Kalamazoo and Butler Streets.

Janet Sparks expressed the dissatisfaction of some residents of Edgewood Blvd. with the recent name change to Georgetown Blvd.

Bonita Smith also expressed disapproval of the name change to Georgetown Blvd.

Mohammed Frank Curtis submitted a leaflet announcing the forthcoming lecture by Minister Louis Farrakhan at the Michigan State University Auditorium on February 18, 1990.

Chris Fox asked why Waverly and Miller Roads were not plowed during the recent snow of February 3/4, 1990. Mr. Severy of the Public Service Department responded that the City policy is not to plow roads unless there has been 4" of snow. He also stated that Ingham County is responsible for the maintenance of Waverly Road in the area discussed.

No more public speakers

REMARKS BY THE MAYOR

The Mayor announced that thirteen drug raids had been conducted during the month of January, 1990, by the Lansing Police Department.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides expressed thanks to Nina Rodriguez of Pattengill Junior High for bringing the students to the City Council meeting.

Councilmember Ford also expressed thanks to the advisers at Pattengill Junior High for bringing the students.

COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned.

Council adjourned at 8:20 P. M.

James D. Blair
City Clerk
Lansing, MI

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, February 12, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
February 12, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were given by Councilmember Lindemann.

Motion by Councilmember Benavides that the minutes of the Council proceedings for January 16, 1990 be approved.

Carried unanimously.

By Councilmember Schmidt:

That we suspend the rules to accept a letter from Motor Wheel Corporation regarding the need for a traffic signal in the area of the Jolly Road exit of 127 onto Dunckel Road and a request from the Mayor regarding Transfer of Funds.

Carried unanimously.

PUBLIC HEARINGS

February 12, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the Special Assessment Roll for street trees and tree grates for the proposed South Cedar Street Beautification Project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessment, they would have the privilege of speaking at this time.

Dick Williams of 909 W. Holmes Street spoke in support of the special assessment and stated that he had received support from 62.6% of the property owners in the area.

John Loveall of 3315 S. Cedar Street (Advanced Truck Covers) spoke in opposition to the assessment.

Debbie Haydenreich of 3021 S. Cedar Street (Quality Auto Trim) also spoke in opposition to the assessment.

Letters were also received from Ralph Holmes of 2200 S. Cedar Street (Bill's Tractor Sales) and Edward T. Hacker of 7050 W. Saginaw (Hacker Realtors) in opposition to the assessment.

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE

February 12, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the introduction of an Ordinance to amend Chapter 1220 Section 1220.03 for the purpose of removing the requirement that at least sixty (60%) percent of the landowners are required to sign a petition agreeing to the establishment of a Historic District Commission.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment, they would have the privilege of speaking at this time.

Judy Gardi of 306 E. Lenawee St. spoke in favor of the amendment.

Fred McLaughlin of 727 N. Capitol Avenue, spoke in favor of leaving the percentage for approval at sixty percent.

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

Judy Gardi of 306 E. Lenawee spoke in support of the ordinance providing for the designation of a neighborhood historic district (Cherry Hill Historic District) scheduled for passage this evening.

Cindy Eby of 1126 W. Michigan Avenue spoke in favor of the resolution regarding SLU-14-89 up for approval this evening.

Paul Novak of 1519 W. Kalamazoo Street (representing the Westside Neighborhood Association), spoke in support of the proposed amendment to the Code of Ordinances (Section 2 of Ordinance No. 811) which created a seven block development area. He suggested that a slight adjustment be made to the boundaries as defined in this amendment.

Willy Williams of 525 W. Lenawee raised the issue of the resolution on SLU-14-89 and urged Councilmembers to take care in their vote to understand that the resolution did vary in content from the recommendation of the Planning Board.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford that communications and petitions be read and referred as recommended by the Council President.

Carried unanimously.

1. Letter from Betty Olney, 515 W. Mt. Hope, regarding condition of sidewalks.

REFERRED TO THE MAYOR

2. Z-2-90 Petition for re-zoning at Larch and Thomson Streets from "C" District to "H" District filed by Jay Gupta.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

3. Z-3-90 Petition for re-zoning 610 E. Sheridan Road from "A" Residential to "C" Residential District filed by Nancy Moore.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. Letter from the Ingham County Controller regarding the

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proposed Ingham County Handgun Safety Training Course.

REFERRED TO THE MAYOR, PUBLIC SAFETY COMMITTEE AND THE CHIEF OF POLICE

MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd reviewed Mayor's letters 3e, 3f, 3g, and 3i.

REPORTS OF CITY OFFICERS AND BOARDS

Feb 8, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached application for license has been routinely processed and is recommended for approval. It is ready for final action by City Council. It is as follows:

BUILDING WRECKER: Scarlett Construction

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

That the City Council concur with the recommendation of the City Clerk for approval of this license.

Carried unanimously.

Feb 8, 1990
President Belen and Members of the City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

Attched herewith is an application for Public Driver License returned unsigned from the Lansing Police Department for:

Roger Dale Tate under section 872.23(b)D.

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

REFERRED TO THE CITY ATTORNEY

2. Letter from Steve Duarte, Secretary to the Retirement Boards, regarding the Ordinance for Prefunding of Health Care for the Police and Fire Retirement System

REFERRED TO THE WAYS AND MEANS COMMITTEE

3. Letters from the Mayor re:

a. ACT-6-89 Pine Tree Road, Excess City Property for Disposal

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

b. ACT-29-89 Regarding Vacating Public Right-of-Way on South Pennsylvania between Michigan Avenue and Kalamazoo Street

REFERRED TO PHYSICAL DEVELOPMENT COMMITTE

c. ACT-39-89 4212 Courtland Drive, Release of Easement

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

d. Grand Woods Park Maintenance Cost Sharing with Delta Township

REFERRED TO WAYS AND MEANS COMMITTEE

e. Resignation of Robert J. Morris from the Lansing Historic District Commission

RECEIVED AND PLACED ON FILE

f. Report from Human Relations Department Regarding City's Procurement of Services from Minority and Women Business Enterprises in 1989

RECEIVED AND PLACED ON FILE

g. Appointment of Terry J. McKane to the Economic Development Board of Directors

Motion by Councilmember Benavides to approve the appointment.

Carried unanimously.

h. Recommendations regarding Amendment to Seven (7) Block Development Area Ordinance 811

REFERRED TO PHYSICAL DEVELOPMENT COMMITEE

i. Final official statement for $7,000,000 City of Lansing Unlimited Tax General Obligation Bonds, Series 1990

RECEIVED AND PLACED ON FILE

j. Transfer of Funds

REFERRED TO WAYS AND MEANS COMMITTEE

BY THE COMMITTEE ON PUBLIC SAFETY

To whom was referred Mayor's report on a citizen letter and petition to install stop signs on Greenlawn Avenue creating a 4-way stop.

Reports As Follows: The Transportation Division, Traffic Board and Mayor recommend the request to install stop signs on Greenlawn Avenue at Grant Street creating a 4-way stop be denied. The Committee has reviewed the report from the administration and concurs that the request to install stop signs on Greenlawn at Grant Street creating a 4-way stop be denied.

Motion by Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

REPORT OF COMMITTEE

AMENDED VERSION

THE COMMITTEE ON PHYSICAL DEVELOPMENT To whom was referred the matter of confirming Special Assessment Rolls B-22, B-24, B-25, B-26, B-27 and A-40 for new construction and/or repair of sidewalk.

REPORTS AS FOLLOWS: The Committee has reviewed both the propriety of the rolls, and the problems incurred due to the lack of timely notice. As a result of this review, the Committee has reduced the assessed cost for three parcels of property. These are:

1. Ramada Inn, Parcel #3305-10-126-011-3

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2. Bethany Baptist Church, Parcel #3301-27-185-001-9

3. Ingham County Property, Parcel #3305-03-352-511-1

The Committee recommends the approval of the accompanying resolution, and hereby refers to the General Services Committee for a quick disposition any complaints received concerning properties that changed ownership after the improvements were completed and before the final assessment roll was finished and noticed.

BY COUNCILMEMBER WORTHINGTON

That the report of the Committee be adopted.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

SLU-16-89
521 Lincoln Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request by Art Baryames for property at 521 Lincoln Avenue for the purpose of providing an employee parking lot for the business at 2423 South Cedar Street.

REPORTS AS FOLLOWS:

That the request for a Special Land Use be approved subject to final approval by the Planning Division and Public Service Department to a site plan showing landscape screening and buffering, ingress and egress to the site and an acceptable drainage plan for the parking lot improvement.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

SLU-14-89
South Pine at West Lenawee Streets

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit for Sam Eyde Construction Company to improve and expand a parking lot on six lots at the southeast corner of Pine and Lenawee Street including five (5) vacant lots and one (1) single family structure.

REPORT AS FOLLOWS: That the Special Land Use permit be approved subject to the following conditions:

1) That a final site plat be submitted to and approved by the Planning Division which will include landscape screening and buffering.

2) That all improvements be made to the parking lot as required by Ordinance.

3) That the setbacks of the parking area be in conformance with the residential setbacks of the adjacent properties.

4) That there be provisions for on site detention of storm water and that this plan be approved by the Public Service Department.

5) That approval of this request is applicant and site specific.

6) The issuance of this permit is for two (2) years and may be reviewed for an extension depending upon the progress of state and city off street parking proposals in the vicinity. Upon the discontinuance of this parking lot, the land will be reclaimed as green space at the owner's expense.

SIGNED: Sidney P. Worthington
Lucille Belen

Councilmember Benavides moved that Council accept an amendment to the Committee on Physical Development's Report regarding SLU-14-89 to read

"Report as follows: The Planning Board recommends approval of a special land use permit only for the three vacant parcels fronting the east side of the 500 block of South Pine Street. The Committee, by a 2-1 vote with Councilmember Benavides dissenting, recommends that the special land use permits for all six parcels be approved subject to the following conditions..."

The motion to amend was accepted unanimously.

Motion by Councilmember Schmidt to accept amended Committee Report regarding SLU-14-89.

Carried unanimously.

Resolution #58
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Plant Rehabilitation District IPR-1-79 on property commonly known as the Diamond Reo Property, Lansing, Michigan; and

WHEREAS, O'Leary Paint Company has applied for an Industrial Facilities Exemption Certificate for the installation of new manufacturing equipment and the construction of new facilities at 415 Baker Street; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on O'Leary Paint Company's application for an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Plant Rehabilitation District; and

BE IT FINALLY RESOLVED that such hearing shall be held at the

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Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, March 5, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Motion by Councilmember Adado

That the report of the Committee be adopted

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Councilmember Benavides moved for consideration of a substitute resolution on SLU-14-89. Council President Belen called for a five minute recess to see if resolution SLU-14-89 could be rewritten as suggested by Councilmember Benavides.

Council President Belen called meeting back to order.

Councilmember Benavides read the proposed change to the resolution on SLU-14-89 to read "....Now, Therefore, be it Resolved that the Council of the City of Lansing approves the Special Land Use Permit as recommended by the Planning Board for the purpose of providing an off street parking lot on three parcels of land fronting the east side of the 500 block of South Pine Street and that the Planning Division prepare the approved legal description subject to the following conditions.."

Motion by Councilmember Benavides to accept the proposed change to the resolution.

YEAS: Adado, Benavides, Ford, Lindemann

NAYS: Belen, Crawford, Schmidt, Worthington

Motion failed

Resolution #59
SLU-14-89
South Pine at West Lenawee Streets

WHEREAS the applicant, Sam Eyde, has requested a special land use permit for six parcels of land at the southeast corner of Pine and Lenawee Streets which includes five vacant parcels and one parcel containing a single family dwelling (525 West Lenawee) and more particularly described as:

> North 34 feet of Lot 10, all of Lot 11 except the east 49.5 feet of the north 33 feet thereof, and the west 115.5 feet of Lot 12, Block 145 of Original Plat, City of Lansing, Ingham County, Michigan; and

WHEREAS the applicant proposes to expand and improve the existing parking lot which will include the demolition of a single family dwelling to provide parking for employees in surrounding office buildings; and

WHEREAS the Planning Board held a public hearing on October 17, 1989 at which the petitioner spoke in favor and one person spoke as well as receiving two letters in opposition; and

WHEREAS the Planning Board, at their meeting of November 21, 1989, voted to recommend approval of that portion of the special land use permit for the three parcels fronting on the east side of the 500 block of South Pine Street subject to conditions, but recommended to deny the expansion of the lot for the three parcels fronting on the south side of the 500 block of West Lenawee Street; and

WHEREAS the Physical Development Committee of Council has reviewed the report of the Planning Board and does not concur and further recommends approval of the proposal as originally submitted which would approve a Special Land Use permit for all six parcels of land at the southeast corner of Pine and Lenawee Streets which includes five (5) vacant parcels and one (1) parcel containing a single family dwelling (525 West Lenawee).

NOW THEREFORE BE IT RESOLVED that the Council of the City of Lansing approves the Special Land Use permit as filed for the purpose of expanding and improving an off street parking lot for three parcels of land fronting the east side of the 500 block of South Pine Street, and three parcels on the south side of the 500 block of West Lenawee more particularly described as:

The north 34 feet of Lot 10 and all of Lot 11 except the east 49.5 feet of the north 33 feet thereof, and the west 115.5 feet of Lot 12, Block 145, Original Plat, City of Lansing, Ingham County, Michigan

subject to the following conditions:

1) That a final site plat be submitted to and approved by the Planning Division which will include landscape screening and buffering.

2) That all improvements be made to the parking lot as required by Ordinance.

3) That the setbacks of the parking area be in conformance with the residential setbacks of the adjacent properties.

4) That there be provisions for on site detention of wotrm water and that this plan be approved by the Public Service Department.

5) That approval of this request is applicant and site specific.

6) The issuance of this permit is for two (2) years and may be reviewed for an extension depending upon the progress of state and city off street parking proposals in the vicinity. Upon the discontinuance of this parking lot, the land will be reclaimed as green space at the owner's expense.

In making this recommendation the City Council considered the following:

Compatibility with Surrounding Area A parking lot adequately screened and improved would be similar to parking lots in the surrounding area. Such a parking lot would appear to be compatible with the general character of the area. However, small surface parking lots as a long term primary use in the Central Area are probably not feasible, nor generally desirable.

As state and city parking projects progress, the pressure on existing State parking lots will be reduced; as will the need for these small private lots.

Interference with Use of Adjacent Properties The parking lot would have all access from Pine Street, which would assist in keeping traffic off Lenawee Street, especially now that Kalamazoo is a two-way street. Interference with the use of adjacent properties along Lenawee should be minimized by the installation of

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landscape screening.

Fencing and landscaping must be adequate to minimize any interference with the proper use of any adjacent parcels.

Improvement to the Site and/or Area The property is presently vacant land. This proposal would appear to enhance the overall area by the development of a paved, organized, well landscaped parking area.

Environmental Impacts The visual environment should be enhanced by the development of appropriate landscaping. Since this is zoned residentially it will require a minimum 20 foot setback from the west property line. No other major environmental impacts are anticipated.

Adequate Availability of Public Services and Facilities All public utilities and services are available to the site. However, the Public Service Department has requested a detention space in the landscaping and to lessen the impact on the existing storm water system.

Impact of Adequacy of Facilities and Services Any storm water impact will be minimized by the provision of a detention space in the landscape area. Paving of the lot will reduce the amount of soil entering the storm sewer system. No other facilities or services should be impacted.

Consistency with Master Plan The River Island Master Plan (1986) recommends office development for this area.

The Expanded Capitol Commons Development Plan recommended a parking facility at this location. However, it was intended to serve already existing facilities in the area (such as Adult Education) that created certain parking problems. The state workers were to be accommodated in existing state lots.

The use is generally consistent with the Master Plan and development plan for the area.

Consistency with Dimensional Requirements The site plan as submitted conforms with the dimensional requirements of the Zoning Code for long term parking spaces and setbacks.

BE IT FINALLY RESOLVED that the Lansing City Clerk hereby notify the petitioner of this action.

Motion by Councilmember Worthington to accept the resolution.

YEAS: Belen, Crawford, Lindemann, Schmidt, Worthington

NAYS: Adado, Benavides, Ford

ABSENT: None

Resolution adopted

Resolution #60
COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-16-89
521 Lincoln Avenue

WHEREAS a request has been made by Art Baryames to receive a special land use for property located at 521 Lincoln Avenue, more particularly described as:

Lot 109 and the east 9 feet of Lot 106, Addmore Subdivision, City of Lansing, Ingham County, Michigan

that will allow him to expand an employee parking lot for his business located at 2423 South Cedar Street and develop a landscaped buffer zone between the parking lot and residential area to the east; and

WHEREAS the Lansing Planning Board has reviewed the request for a special land use according to the requirements of Chapter 1282 of the Zoning Code and has recommended approval of the special land use subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves this special land use request by Art Baryames for property at 521 Lincoln Avenue for the purpose of expanding off street parking in conjunction with his business at 2423 South Cedar Street subject to the following:

Final approval by the Planning Division and Public Service Department be given to a site plan showing landscape screening and buffering, ingress and egress to the site and an acceptable drainage plan for the parking lot improvement.

In approving this request the Council considered the following:

1) The site will be designed, constructed, operated and maintained in a manner harmonious with the character of the adjacent property and the surrounding area. Landscape screening and buffering will be installed to provide this assurance.

2) The development will not change the essential character of the surrounding area. The site will be utilized for off street parking in conjunction with existing commercial operations. This parking is necessary to alleviate the problem of on street parking.

3) The development of this parking lot should not interfere with the general enjoyment of the adjacent property. The applicant has indicated that it will be used for employee parking only and the more intense patron parking is intended to be provided at the north end of the complex.

4) The development will result in utilization of the property for off street parking, which will represent an improvement to the use and character of the existing commercial use.

5) The proposed development of this parking lot will not be hazardous to adjacent property, nor will it involve use or activity or have equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6) The off street parking development can be adequately served by the essential public facilities. It is required that steps be taken to provide assurances that storm water facilities are provided for.

7) The off street parking development will not place demands on existing public utilities and facilities in excess of current capacities.

8) The proposed change is generally consistent with the intent and purpose of the Zoning Code and the objectives of the currently adopted Comprehensive Plan. The Comprehensive Plan recognizes this area along Cedar Street as commercial. The objective to maintain a viable commercial strip can only be when adequate off street parking is provided for.

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9) The development will meet all the dimensional requirements of an off street parking lot and the required landscaping, screening and buffering will be provided.

BE IT FINALLY RESOLVED that the Lansing City Clerk hereby notify the petitioner of this action.

Motion by Councilmember Worthington to accept the resolution.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Resolution #61
PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the following Special Assessment Rolls for new construction and/or repair of sidewalk

Assessment Roll Number	Public Service Number	Assessable Cost
B-22	36225	$7,353.88
B-24	77078	$128,005.60
B-25	37046	$209,031.56
B-26	14122	$20,871.31
B-27	16054	$29,068.89
A-40	76126	$3,235.75
	Total	**$397,566.99**

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said special assessment amounts on or before May 14, 1990.

Motion by Councilmember Worthington to accept resolution.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by amending Section 2 of Ordinance No. 811 which created a seven block development area for the purpose of clarifying representation on the Citizen District Council is hereby introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

Resolution #62
NOTICE OF PUBLIC HEARING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 19, 1990 at 7 p.m. in the 10th floor Chambers of City Council for the purpose of opposing and/or approving an amendment to Section 2 of Ordinance No. 811, which created a seven block development area, for the purpose of clarifying representation on the Citizen District Council.

Motion by Councilmember Worthington to accept the resolution setting a public hearing for February 19, 1990.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

CHERRY HILL HISTORIC DISTRICT DESIGNATION

By Councilmember Worthington:

Resolved by the Committee on Physical Development. The Committee reported that it considered an ordinance providing that Part 12, Title 2 of the Code of Ordinances of the City of Lansing, Michigan, be amended by an ordinance in accord with Section 1220.02(k) to provide for a Historic District Designation of a neighborhood located in the City of Lansing, Michigan, to be known as the Cherry Hill District.

By Councilmember Worthington:

That this be considered as being read in its entirety.

Carried

By Councilmember Worthington:

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be revised by an ordinance to amend Part 12, Title 2 in accord with Section 1220.02(k) to provide for a Historic District Designation of a neighborhood located in the City of Lansing which is to be known as the Cherry Hill District be now passed.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Ordinance adopted.

ORDINANCE #813
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE HISTORIC DESIGNATION OF A NEIGHBORHOOD AREA LOCATED IN THE CITY OF LANSING, MICHIGAN.
The City of Lansing ordains:
Section 1. That a Historic District as defined by Chapter 1220.02(k) of the Code of Ordinances of the City of Lansing, Michigan, be established as follows:
To confer Historic District status on a portion of the Cherry Hill Neighborhood described as follows:
Case Designation: Cherry Hill Historic District
Legal Description:
Commencing on the Center of E. Hillsdale Street and the Center of S. Grand Ave., plat of the town of Michigan now City of Lansing; thence North 107.25 feet; thence East 206.25 feet; thence North 132 feet; thence East 206.25 feet; thence North 239.5 feet; thence East 164.25 feet; thence South 239.25 feet; thence East 9 feet; thence South 123.75 feet; thence West 66 feet; thence South 293.70 feet; thence West 312.5 feet; thence North 173.25 feet;

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thence West 66 feet; thence South 107.25 feet; thence West 140.25 feet; thence North 107.25 feet to the point of beginning.
Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.
Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

1. Letter from Motor Wheel Corporation regarding the need for a traffic light at the Jolly Road exit of 127 onto Dunckel Road.

REFERRED TO THE PUBLIC SAFETY COMMITTEE

2. Letter from the Mayor regarding Transfer of Funds

REFERRED TO WAYS AND MEANS COMMITTEE

PUBLIC COMMENTS

Mohammed Frank Curtis spoke regarding the release of Nelson Mandela and other matters.

Russ Greear of 1517-½ Bailey spoke regarding the need for increased police protection.

No other public speakers.

REMARKS BY THE EXECUTIVE ASSISTANT

Mr. Boyd responded to Mr. Greear's comments regarding police protection.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides announced that he received a call from someone in the Fourth Ward who expressed concern over alleged illegal activities occuring near West Ionia and Butler Streets.

Councilmember Ford announced the birth of a nephew.

Councilmember Lindemann reported a complaint he had received regarding a home at 620 Baker Street which has no front door and windows and complainant feels that it should be boarded up by the City if the landlord cannot be located.

BY COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned.

Council adjourned at 8:40 P.M.

James D. Blair
City Clerk
Lansing, MI

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, February 19, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
February 19, 1990

The City Council of the City of Lansing, Michigan, met in regular sessions at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

ABSENT: None

The Invocation was given by Councilmember Ford and the Pledge of Allegiance was led by Robert Chapin and Kevin Heath of Boy Scout Troop #137.

There were no Council proceedings submitted for approval.

By Councilmember Schmidt:

That we suspend the rules to accept the following:

A letter from Michael H. West of the Lansing Mechanical Contractors Association, Inc. regarding hotel housing.

A resolution from the Ways and Means Committee for transfer of funds.

Carried unanimously to accept these items.

PUBLIC HEARINGS

1. February 19, 1990 at 7:00 o,clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing regarding an Industrial Facilities Exemption Certificate for Jackson Assembly Enterprises for Plant Rehabilitation District: IPR-7-83.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate, they would have the privilege of speaking at this time.

Raymond Quillan of 145 S. Jackson St., Jackson, the Attorney representing Jackson Assembly Enterprises and the President and Plant Manager of Jackson Assembly Enterprises were present to answer questions.

Councilmember Adado stated that the Economic Development Committee will be meeting on February 22, 1990 at 8:30 P.M. to discuss this certificate and interested parties are invited to attend.

No additional public comment.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

2. February 19, 1990 at 7:00 o,clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing regarding an Amendment to Section 2 of Ordinance No. 811 which created a Seven Block Development Area.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment, they would have the privilege of speaking at this time.

Cindy Eby of 1126 W. Michigan Avenue (representing the Westside Watch #120) stated that this group would like to be included for representation on the District Council as part of this amendment.

Councilmember Ford stated that he received a phone call from Paul Novak indicating his support for this amendment and hopes that the Westside Neighborhood Association would also be included with representation on the District Council.

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

Councilmember Lindemann commented that the Public Services Committee is pulling the resolution scheduled for this evening regarding the demolition or make-safe of property located at 3207 Ingham Street so that the Committee may receive additional input from the public.

Valerie Ambrose of 3132 Ingham Street presented a petition signed by 30 neighbors in the 3207 Ingham Street area requesting that a five month extension not be granted on the resolution for demolition or make-safe of the property at 3207 Ingham Street.

No additional public speakers.

SPECIAL CEREMONIES

Mr. Boyd presented a Proclamation to the Lansing Barbershop Chapter of the Pioneer District of the Society for the Preservation and Encouragement of Barbershop Quartet Singing in America, Inc. in recognition of their 50th anniversary. Four members of the Harmony Seekers then sang two songs for those assembled.

COMMUNICATIONS AND PETITIONS

Councilmember Schmidt moved that Council accept the referrals of the Council President on communications and petitions received.

Carried unanimously.

Letter from Dolores Maidlow, President of Forest View Citizens, Association, protesting the proposed planned residential development (PRD-1-90) for the 2400-2600 block of Forest Road

REFERRED TO THE MAYOR, PLANNING BOARD AND PHYSICAL DEVELOPMENT COMMITEE

Letter from the Boardmembers of NLCA regarding renting or leasing the Comfort Station

REFERRED TO THE MAYOR

Letter from John Hart, President of the Capital Area Audubon

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Society, regarding their concern over the development of property along the southern boundary of Fenner Arboretum (PRD-1-90)

REFERRED TO THE MAYOR, PLANNING BOARD AND PHYSICAL DEVELOPMENT COMMITTEE

Letter from Michael K. Northrup regarding complaint about possible mail tampering

RECEIVED AND PLACED ON FILE

Letter from Kenneth and Madelyn Springer, co-owners of Don's Party Store, regarding support for the Quaker Management Company

REFERRED TO THE MAYOR

Letter from Thomas D. Cleary, 351 S. Green St., Tuckerton, New Jersey regarding complaint about Representative Ethel Terrell

RECEIVED AND PLACED ON FILE

Letter from Richard Wellwood, Director of the Justice in Mental Organization, Inc. thanking the City for the $10,000 grant for assisting individuals who suffer from emotional and mental health problems

REFERRED TO THE MAYOR

Letter from Peter G. Jubeck of Sir Pizza, 115 S. Pennsylvania Ave., regarding a special tax on his July, 1989 property tax statement

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

Letter received suggesting that the Diamond Reo site be converted to a multi-purpose theme park

RECEIVED AND PLACED ON FILE

Letter from Jean S. Findlay, Department of Health & Human Services, regarding a survey planned for April 4-June 3, 1990 of 402 people from Ingham County

REFERRED TO THE MAYOR

Z-4-90 Petition for re-zoning Lots 31, 32, 33 and the West 104 feet of Lots 34 and 35 of Jessops Home Gardens Subdivision, from "A" Residential and "F" Commercial to "F" Commercial

REFERRED TO THE MAYOR AND PLANNING BOARD

Letter from George H. Scarlett, Retired Deputy Fire Chief, Regarding Police & Firemen's Retirement System

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

Letter from Kerry D. Hagan, 206 Hungerford, regarding a Special Assessment for Weed Cutting

REFERRED TO THE CITY ATTORNEY

Letter from Lois and Everett Downing, 4100 Devonshire Avenue, expressing their opposition to the planned parking lot on the East Side of Devonshire Avenue

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE AND THE PLANNING BOARD

Letter from Patrick Wilson regarding appeal of claim denial

REFERRED TO THE CITY ATTORNEY AND GENERAL SERVICES COMMITTEE

MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd commented on the letter from Stephen Duarte regarding Financial Statements of City Funds at December 31, 1989 and on a corrected report received regarding City expenditures to Minority and Women's Business Enterprises in 1989. He also mentioned that the Mayor's Office has a submission on tonight's agenda for public hearings to demolish or make-safe seven properties.

REPORTS OF CITY OFFICER AND BOARDS

Resolution #63
February 16, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

Public Drivers: Andrew Allen Bosworth, Matthew Scott Grantham, Steven James Grob

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the recommendation of the City Clerk be approved.

Carried unanimously.

February 15, 1990

The Honorable Mayor and City Council
of the City of Lansing, Michigan

Submitted herewith are the Financial Statements of the City funds at December 31, 1989 showing the relationship between the estimated and actual revenues of the City's funds at that date.

This report, together with the Budget Status Report, provides the Mayor and City Council with required data relating to the financial condition of the City, exclusive of operations of the Board of Water & Light and General Fund. The above exclusions are reported upon separately.

Respectfully submitted,
Stephen W. Duarte
Director of Finance

REFERRED TO THE WAYS AND MEANS COMMITTEE

February 13, 1990

TO: All Departments and Divisions
FROM: Stephen W. Duarte, Director of Finance/City Controller
SUBJECT: Employee Payroll Deduction Rates for Health Insurance

RECEIVED AND PLACED ON FILE

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TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: February 14, 1990
SUBJ: Total Dollars Paid to MBE/WBE's in 1989 (Corrected Report)

The attached report, which reflects a plus, is being submitted for your information and review.

RECEIVED AND PLACED ON FILE

Resolution #64
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: February 14, 1990
SUBJ: Request for Public Hearing regarding Parks and Recreation Department—Five Year Recreation Plan

The attached request for public hearing is being submitted with my concurrence for your review and appropriate action.

Motion by Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the Mayor's request for a public hearing be approved.

Carried unanimously.

Resolution #65
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: February 13, 1990
SUBJ: Request for Public Hearing Regarding Demolition or Make Safe for Occupancy of Following Properties: 2032 Mary Avenue; 708 North Walnut Street; 1329 Roosevelt Avenue; 1225 Larned Street; 620 South Fairview Avenue; 923 West Ionia Street; 1820 Perkins Street

The attached request for public hearing is submitted with my concurrence for your review and appropriate action.

Motion by Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the Mayor's request for a public hearing be approved.

Carried unanimously.

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: February 15, 1990
SUBJ: Transfer of Industrial Facilities Exemption Certificate—Jackson Assembly Enterprises, Inc. for Machinery and Equipment

The attached recommendation is being submitted with my concurrence for your review and appropriate action.

REFERRED TO ECONOMIC DEVELOPMENT

TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: February 15, 1990
SUBJ: Transfer of Funds

The attached requests for transfer of funds are being submitted with my concurrence for your review and appropriate action.

REFERRED TO WAYS AND MEANS COMMITTEE

COMMITTEE REPORTS

There were no Committee Reports submitted

Resolution #66
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on February 21, 1984, the City of Lansing entered into a thirty year agreement to lease Grand Woods Park to the Charter Township of Delta for the sum of one dollar ($1.00) per year, and

WHEREAS, this agreement provided that the City pay to the township fifty percent (50%) of the operating and maintenance costs incurred by the township during the first five years of the agreement, and

WHEREAS, the township has requested a renewal of the five year operating and maintenance cost agreement, and

WHEREAS, the Administration recommends approving this request,

NOW, THEREFORE, BE IT RESOLVED, the City Council approves the renewal of the Grand Woods Park operating and maintenance cost agreement and hereby authorizes the execution of the appropriate documents.

Motion by Councilmember Benavides to adopt this resolution

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Resolution #67
COMMITTEE ON WAYS AND MEANS

Resolved by the City Council of the City of Lansing

WHEREAS funding is available from the State of Michigan through the Michigan Equity Program Grant; and

WHEREAS the City of Lansing applied for $500,000 for a variety of cultural and capital improvement projects as approved by the Lansing City Council; and

WHEREAS the City has been awarded $500,000 from the Michigan Equity Program subject to conditions and provisions outlined in the Grant Agreement; and

WHEREAS the City agrees to abide by all terms, conditions and provisions outlined in the signed agreement,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council does hereby accept these funds in the amount of $500,000 for the following projects:

PROJECT TITLE(S)	AMOUNT
1. Potter Park Zoo—Restroom/Concession Building	$ 95,000
2. City Market—Building Improvements	50,000
3. Cooley Gardens—Landscape Materials	2,000
4. Durant Park—Archway Restoration	10,000
5. Tourism Area—Police Protection	54,000
6. Groesbeck Golf Course—Aeration System	20,000
7. Riverfest—Float Bases/Motors/Operations	20,000

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8. Riverfront Property	10,000
9. Urban Arboretum—Additional Trees	5,000
10. Arts Agency Support—Operational Support	120,000
11. Mini-Grants—Arts Council Center	4,000
12. Arts Agencies, Capital Improvements Projects	78,000
13. Michigan Women's Hall of Fame	7,500
14. Silver Bells in the City—Promotional Activities	3,000
15. Links, Inc. Performing Arts—Operational Funds	4,000
16. Lansing Community College—Michigan Survey Project	2,500
17. Lansing Public Library	15,000
Total	**$500,000**

Motion by Councilmember Benavides that Councilmember Lindemann be excused from the vote for items 10 & 12 and that a separate vote be taken for these items.

Carried Unanimously.

Motion by Councilmember Benavides that items 1-17 except items 10 & 12 be approved.

Carried unanimously.

Motion by Councilmember Benavides that items 10 & 12 be approved.

Motion approved by a vote of 7/0 with Councilmember Lindemann not voting.

Resolution #68
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

1)
$ 12,600.00 from Res./Cont. Ctrl. A/C 101-940-000-700
12,600.00 to City Coun./Audit Ctrl. A/C 101-101-000-700
($6,600 conferences & education, $3,000 overtime, $3,000 community promotion, as approved by Ways & Means 2/13/90.)

$2,400.00 from Est. Rev. A/C 101-000-000-160
(Annual rent from fee agreement with the Parking System for use of the City Market parking lot on non-market days, per City Council resolution Dec. 10, 1984. Revenue in 101-676.)

2)
6,838.00 from Est. Rev. A/C 101-000-000-160
(Funding to cover wage rate increases for sports officials in adult baseball, softball, volleyball, youth baseball and soccer. In conjunction with fee increases for registrations credited to various accounts.)
150.00 from Est. Rev. A/C 101-000-000-160
(Donation of $50.00 in 101-675, receipt No. 276462, for Senior Center diabetic program; donation of $100, 101-675, receipt No. 273147, to be used for a foraging simulator for Potter Park Zoo primates.)
9,388.00 to Parks & Rec. Bgt. Ctrl. A/C 101-692 000-700$ 3)
6,150.00 from Parks & Rec. Bgt. Ctrl. A/C 101-692-000-700
6,150.00 to Parks & Rec. Golf Fund Subsidy
A/C 101-756-000-969
(Recalculation of Golf Fund fringe benefits based on revised rates received from Controller's Office, January 10, 1990.)

4)
$293.67 from Est. Rev. A/C 101-000-000-160
(From rentals of Turner-Dodge House between July 1, 1989, through December 31, 1989 (proceeds credited to 101-651.02.)
4,870.00 from Est. Rev. A/C 101-000-000-160
(Individual player fees deposited to 101-651.30 from July 1, 1989, through Dec. 31, 1989, for ballfield development account, per City Council resolution of Nov. 3, 1986.)
42,103.61 from Estimated Revenues
(Net proceeds from Potter Park gate revenue, July 1, 1989, through Dec. 31, 1989, less attendant wages, credited to 101-652.)
17,113.05 from Est. Rev. A/C 101-000-000-160
(Funds from sale of the Kendon Park alley, from receipts 265097, 265098, 265125, 276972, 281387, 281388, 281395, 281534, credited to 101-685.01. Council resolution of 3/13/89 requires $1,450 to ballfield development and $15,663.05 to Kendon Park acct.)
64,380.33 to Cap. Imp. Prog.—
Bgt. Ctrl. A/C 101-936-000-700

5)
$2,942.00 from Fund Balance A/C 101-000-000-390
2,942.60 to Cap. Imp. Prog.—Bgt. Ctrl. A/C 101-936-000-700
(Funds for rentals of Turner-Dodge House from July 1, 1988, through June 30, 1989, which were never requested for appropriation. Proceeds were credited to 101-651.02 and lapsed to Fund Balance.)

6)
$3,164.00 from Golf Fund/Est. Rev. A/C 584-000-000-160
3,164.00 to Parks & Rec. Golf Fund—Bgt. Ctrl.
A/C 584-000-000-700
(Rental of an additional eight (8) power carts for Groesbeck Golf Course and six (6) carts for Waverly Golf Course, effective with the opening of the golf courses this spring.)

7)
$ 6,150.00 from Golf Fund-Est. Rev. A/C 584-000-000-160
6,150.00 to Parks & Rec. Golf Fund-Budget Cont.
A/C 584-000-000-700
(Recalculation of fringe benefits will result in shortage in this account. No other residuals available in Golf Fund.)

8)
$ 443.15 from Parks Exp. Trust-Est. Rev. A/C 713-000-000-160
443.15 to Parks & Rec. Parks Exp. Trust—
Bgt. Ctrl. A/C 713-000-000-700
(Payment of winter property taxes on Ranney Trust property at 111 S. Cedar Street.)

9)
$3,000.00 from Parks Exp. Trust-Fund Bal.
A/C 713-000-000-390
3,000.00 to Parks & Rec. Frances Park Trust—
Misc. & Oper. Expenses A/C 713-050-000-741
(Funds to replace 150 roses at the Rose Garden in Frances Park that died during last winter and spring. The department believes weather may have been a factor, as soil test results did not determine any apparent cause.)

10)
$70,000.00 from Est. Rev. A/C 765-000-000-160
70,000.00 to Ctrl.—
Worker's Comp. Fund A/C 765-000-000-700

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(Unanticipated serious injuries in Police medical, with two heart conditions pending; open heart surgery on two fire employees and larger-than-normal medical cost on salary employees.)

Balance in the Reserve for Contingency Fund after these transfers is $423,875.00.

Submitted by:
Jan Lazar, Budget Director

I hereby certify that funds are available.

Stephen W. Duarte
City Controller

APPROVED:

Motion by Councilmember Benavides to approve this resolution

Carried unanimously.

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

Letter from Michael H. West of the Lansing Mechanical Contractors Association, Inc. regarding hotel room space

REFERRED TO THE MAYOR AND
THE CONVENTION AUTHORITY

Resolution #69
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$7,476.00 from Fire-Bgt. Ctrl. Acct. A/C 101-337-000-700
7,476.00 to Admin. Ser.-Bgt. Ctrl. Acct. A/C 101-257-000-700
(Additional cost for light/rescue truck to meet changed specifications per Fire Hazardous Materials Response requirements (to Acct. #101 222-000-985).

$81,767.00 from Est. Rev. A/C 265-000-000-160
81,767.00 to Drug Forf. Fd.-Bgt. Ctrl. A/C 265-000-000-700
(Cash match for Anti-Drug Abuse Act Forfeiture Grant for 1989-90 per Tri-County Metro Governmental Board. (Memo transfer to Acct. #265-305-000-999.)

$9,500.00 from Forf.-Est. Rev. A/C 265-000-000-160
9,500.00 to Drug Forf.-Bgt. Ctrl. A/C 265-000-000-700
(Additional evidence monies needed for REACH team activities (265-305 016-958).

$41,300.00 from Est. Rev. A/C 265-000-000-160
41,300.00 to Drug Forf. Fd.-Bgt. Ctrl. A/C 265-000-000-700
(Renovation of existing office space using partition panels, etc. to create individual office space for REACH personnel. (Memo transfer to Acct. #265-305-016-977.)

Submitted by:
Jan Lazar, Director of Budget
and Management

I hereby certify that funds are available.

Stephen W. Duarte
Director of Finance/City Controller

APPROVED:

Motion by Councilmember Benavides to adopt this resolution

Carried unanimously

PUBLIC COMMENTS

Muhammed Frank Curtis spoke regarding the speech conducted by Louis Farrakhan at Michigan State University.

Marjorie and Chester Fronckel of 2110 Warden spoke regarding problems they are having with septic tanks in their neighborhood.

No other public comments.

REMARKS BY THE EXECUTIVE ASSISTANT

Mr. Boyd mentioned that the Police Department held a large auction last week for confiscated jewelry. He also mentioned that the Police Department has made several arrests for possession and delivery and conducted several drug raids in the last week. He said that the Mayor wished for him to extend thanks to all for the calls and letters he has received during his stay in the hospital.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann stated that he noticed that the bridge over the Grand River on Saginaw still has lots of snow on the sidewalk.

Councilmember Ford stated that he has received several complaints about the snow plows dumping large amounts of snow onto sidewalks that had already been cleared. Mr. Severy responded that there is little that can be done to avoid this situation because of the small area between the curbs and sidewalks.

Councilmember Schmidt said that there will be a meeting on Wednesday, February 21, 1990 at 7:30 P.M. at Maple Woods School on the proposed widening of Cedar Street and all are invited to attend.

Councilmember Ford offered congratulations to Joan Sheldon and Caroline Calen, recipients of the Bea Christie award.

Councilmember Benavides expressed his thanks to Councilmember Lindemann for pulling the resolution regarding the demolition or make-safe of the property located at 3207 Ingham Street.

BY COUNCIL PRESIDENT BELEN:

That this meeting stand adjourned.

Council adjourned at 8:05 P.M.

JAMES D. BLAIR
CITY CLERK
LANSING, MI

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, February 26, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
February 26, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were given by Councilmember Schmidt.

There were no Council proceedings submitted for approval.

By Councilmember Schmidt:

That we suspend the rules to accept the following:

A letter from Linda Williams of 1917 Teel Avenue in support of the planting of trees on Cedar Street after it has been widened.

A letter from Kevin Kelly of the Michigan State Medical Society regarding the need for increased human services for Lansing residents.

A letter from the City Clerk requesting that Council consider amendments to Ordinance No. 860 to reduce the licensing requirements regarding the Greater Lansing Convention/Exhibition Authority.

A letter from the Greater Lansing Convention/Exhibition Authority requesting amendments to Ordinance No. 860.

Councilmember Ford moved that Resolutions #5 and #6 on the Agenda be moved up to be considered prior to the Special Ceremony for the recognition of seven young Lansing-area men and for Volunteers of America Week.

Motion carried

(See CONSIDERATION OF LATE ITEMS for the handling of the letters; Resolutions are shown in the Special Ceremonies Section)

PUBLIC HEARINGS

1. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for Special Land Use SLU-17-89: 725 East Saginaw Street.

No public speakers.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

2. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for Special Land Use SLU-18-89: 200 Block West St. Joseph Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Special Land Use, they would have the privilege of speaking at this time.

No public speakers.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

3. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for Special Land Use SLU-19-89: 2733/2735 South Washington Avenue and 2717/2721/2729 South Washington Vacant Parcels.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Special Land Use, they would have the privilege of speaking at this time.

No public speakers.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

4. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for Special Land Use SLU-20-89: 204 East Mt. Hope Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Special Land Use, they would have the privilege of speaking at this time.

John P. Lenhard of 128 Whitehills Drive was present to answer any questions regarding the public hearings for SLU-20-89 and Z-24-89.

No other public speakers.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

5. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for rezoning Z-23-89: 1124 East Mt. Hope Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

No public speakers.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

6. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for rezoning Z-24-89:

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204 East Mt. Hope Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

No public speakers.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

7. February 26, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on request for transfer of a Commercial Facilities Exemption to Commercial Redevelopment District CRD-3-84, Shanoras Beauty & Barber Supplies & Clothing, 2215 West Holmes.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed transfer, they would have the privilege of speaking at this time.

No public speakers.

REFERRED TO COMMITTEE ON ECONOMIC DEVELOPMENT

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

Donald Frost of 4406 Ingham Street spoke in protest of the denial of his claims by the Committee on General Services.

No other public comment.

SPECIAL CEREMONIES

Mr. McCaffrey presented a Proclamation to Douglas W. Slade, Executive Director of Legal Aid of Central Michigan, in recognition of their 50th Anniversary.

Resolution #79
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, TEAMS/USA, a national amateur youth soccer organization, has selected seven young men from Lansing to represent Michigan at major youth tournaments in Europe this summer; and

WHEREAS, those selected were Jason Argo, Rudi Mauch, Jeremy Rall, Jarrod Reeves, Jason Rodgers, Patrick Schaberg and Rob Young, all of whom have practiced their soccer skills in the Lansing Parks and Recreation Soccer League; and

WHEREAS, the tour will take the team to the Scandinavian Youth Cups and other major tournaments in Western Europe, where these young men will represent us to other nations of the world while they acquire the techniques and understanding necessary to reach Olympic calibre;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 26th day of February, 1990, hereby congratulates Jason Argo, Rudi Mauch, Jeremy Rall, Jarrad Reeves, Jason Rodgers, Patrick Schaberg, and Rob Young on their selection to TEAMS/USA; and

BE IT FURTHER RESOLVED the Council wishes these Lansing athletes every success as they tour Europe representing their home state.

Moved by Councilmember Schmidt to adopt Resolution.

Carried unanimously

Councilmember Schmidt introduced six of the seven young men from Lansing who have been selected to represent Michigan with TEAMS/USA.

Resolution #80
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the week of March 4-11, 1990, has been designated as "Volunteers of America (VOA) Week"; and

WHEREAS, VOA is one of America's largest multi-purpose social service agencies which, in its 94 years of existence, has served over 200 communities through more than 400 programs; and

WHEREAS, the Lansing Branch of the VOA was started in 1911, and its present services include a Sheltered Remunerative Employment for alcoholics, food and special Christmas dinners for senior citizens, handicappers and persons in need of disaster relief, a children's clothing program, free home pickup of used articles, three thrift stores serving low income families, and an industrial salvage program, all of which are possible due to generous donations of funds and time by Lansing people;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby proclaims March 4-11, 1990, as "Volunteers of America in Lansing Week"; and

BE IT FURTHER RESOLVED the City Council lauds the VOA for their many outstanding efforts on behalf of the residents still in need in our community.

Motion by Councilmember Schmidt to adopt Resolution.

Carried unanimously

Councilmember Schmidt introduced Patricia Dowell, Executive Director of Volunteers of America. Ms. Dowell thanked the Council for designating March 4-11, 1990 as Volunteers of America Week.

COMMUNICATIONS AND PETITIONS

1. Z-5-90 Petition for Re-zoning 324 North Pine from "DM-3 Residential" District to "D-2 Residential/Office" District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

2. Letter from Farhat, Story & Kraus, P. C. changing the address for Capitol Park Motor Hotel, Inc.

RECEIVED AND PLACED ON FILE

3. Petition received from Philip R. Baker on behalf of Ameritainer, Inc. requesting adjustment of tax assessments

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

4. Letter from Roxy Eaton of Eaton Realty & Builders regarding

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Special Assessment Roll B25 and B25C

REFERRED TO THE CITY ATTORNEY AND GENERAL SERVICES COMMITTEE

5. Letter from Connie Carmody of the Lansing Jaycees thanking the City of Lansing, Friends of the River, and the Parks Department for their assistance in the dedication of the memorial kiosk at Riverfront Park

RECEIVED AND PLACED ON FILE

6. Application for License for the Caravan Youth Center Circus

The City Clerk stated that upon checking, he found that the approval of Council for this license is not necessary. The application can be granted via administrative channels.

RECEIVED AND PLACED ON FILE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR

MAY COMMENT on agenda items, including late items approved for consideration

Mr. Howard McCaffrey spoke in the absence of the Mayor and the Executive Assistant. He reviewed the Mayor's letter 2B regarding grants made to several agencies.

REPORTS OF CITY OFFICERS AND BOARDS

1. Letters from City Clerk submitting routine applications for action on licenses and bonds:

A. APPROVALS:

Resolution #70
February 26, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council They are as follows:

PUBLIC DRIVERS: Joseph Wernner, James Gregory Whittaker, Mary Ellen Walker

MASSAGE THERAPIST: Linda Zimmerman

SIGN ERECTOR: Johnson Sign Company

Sincerely,

James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Ford:

Resolution by the City Council, City of Lansing, that the recommendation of the City Clerk be approved.

Carried unanimously

B. Letter from City Clerk to inform of cancellation of application from James Stajos, 300 S. Capitol Avenue for transfer of ownership of a Sunday Sales, Dance, Official Permit (Food)

RECEIVED AND PLACED ON FILE

C. Notice from City Clerk on the Availability of Proposed 2/19/90 Minutes of Council Proceedings for Review

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:
A. Michigan State Housing Development Authority (MSHDA) Grant to Council Against Domestic Assault for $2,500.00

RECEIVED AND PLACED ON FILE

B. Neighborhood Builders Alliance Grants to Lansing Neighborhood Council, Recyclers of Ingham, Eaton and Clinton Counties, Green Oaks Reinvestment Corporation and to Black Child and Family Institute

RECEIVED AND PLACED ON FILE

C. Letter of Commendation for Jan Budden, City Assessor's Office, from Warner Realty Co.

RECEIVED AND PLACED ON FILE

D. Recommendation of Support for Resolutions Approving Permanent Easements for Cavanaugh Road Bridge Construction over Sycamore Creek

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

E. Tax Abatement Request for Trition Industries, Inc. and Need for Resolution of Consent Agreeing to Transfer of Employment from City of Lansing Prior to Issuance of Industrial Facilities Exemption Certificate

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

F. Installation of Traffic Signal at Northrup Street and Washington Avenue

REFERRED TO THE PUBLIC SAFETY COMMITTEE

G. Traffic Control Request for Yield Signs on Marcus Street at Mifflin Avenue

REFERRED TO THE PUBLIC SAFETY COMMITTEE

H. Board Evaluations received from: Park Board, Plumbing Board, Human Relations Advisory Board, Human Resources Advisory Board, Mechanical Board, Board of Fire Commissioners, Building Board of Appeals, Electrical Board, Traffic Board, Board of Commissioners and Public Service Board

RECEIVED AND PLACED ON FILE

I. Recommendation Regarding Request for Transfer of Commercial Facilities Exemption Certificate CRD-3-84

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

J. Z-1-90 Rezoning of 910 South Holmes Street from "F" Commercial District to "B" Residential District

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

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Resolution #71
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED by the City Council of the City of Lansing, Michigan, at a regular meeting held at the City Hall on February 27, 1990;

WHEREAS the City of Lansing did in 1989 reconstruct a segment of Forest Road just west of Collins Road reconstruction.

WHEREAS it is necessary to furnish certain information to the State of Michigan to place this street within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the center line of said street is described as: Beginning at a point on the east-west ¼ line of Section 25, S89°47'19"E 1030.60 feet from the west ¼ corner of Section 25, T4N, R2W, City of Lansing, Ingham County, Michigan; thence S89°47'19"E 108.55 feet to a point of curvature on the centerline of relocated Forest Road; thence 314.16 feet on the arc of a 400.00 foot radius curve to the right whose chord bears S67°17'19"E 306.15 feet; thence S44°47'19"E 228.18 feet to the centerline of relocated Collins Road. Thence, northeasterly 513.08 feet on the arc of a 916.73 foot radius curve to the right whose chord bears N48°18' 03"E to a point on the centerline of Forest Road; thence, S89°47'19"E along the centerline of Forest Road 452.86 feet; thence N87°42'14"E along the centerline of Forest Road 225.22 feet to a point of ending on the existing centerline of Forest Road 2,908.46 feet east of the west ¼ corner of Section 25, T4N, R2W, City of Lansing, Ingham County, Michigan.

2. That said street is located within a City Right-of-Way and is under the control of the City of Lansing.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the City Major Street System.

Motion by Councilmember Worthington that Resolution be adopted.

Carried unanimously

Resolution #72
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED by the City Council of the City of Lansing, Michigan, at a regular meeting held at the City Hall on February 27, 1990;

WHEREAS the City of Lansing did in 1989 construct a segment of Edgewood Blvd. resulting in the renaming of Old Edgewood Blvd. to Georgetown.

WHEREAS it is necessary to furnish certain information to the State of Michigan to place this street within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the center line of said street is described as:

Commencing at a point on the Northerly Right-of-Way line of Edgewood Boulevard distant 500 01'08"E, 1,709.69 feet and East 25.53 feet from the Northeast Corner, Section 7, T3N, R2W, City of Lansing, Ingham County, Michigan; thence 249.61 feet along a curve to the right, said curve having a Delta angle of 57°12'13", a radius of 250.00 feet and a Long Chord of 239.36 feet bearing N61°24'02"E; thence East, 153.53 feet to the point of Ending.

2. That said street is located within a City Right-of-Way and is under the control of the City of Lansing.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the City Local Street System.

Motion by Councilmember Worthington that Resolution be adopted.

Carried unanimously

Resolution #73
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED by the City Council of the City of Lansing, Michigan, at a regular meeting held at the City Hall on Fcbruary 27, 1990;

WHEREAS the City of Lansing did in 1989 reconstruct a segment of Collins Road.

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Local Street system for the purpose of obtaining funds under Act 51, P.A. 1951, as amended.

NOW, THEREFORE, IT IS RESOLVED:

1. That the Center line of said street is described as:

Beginning on the south section line S89°34'37"E 1387.24 feet from the southwest corner of Section 36, T4N, R2W, City of Lansing, Ingham County, Michigan; thence N0°51'05"W along the centerline of Collins Road 2638.21 feet; thence N0°27'32"W along the centerline of Collins Road 2636.35 feet; thence N0°23'26"E along the centerline of Collins Road 400.88 feet to a point of curvature; thence northeasterly 924.05 feet on the arc of a 916.73 foot radius curve to a point of ending on the centerline of relocated Forest Road.

2. That said street is located within a City Right-of-Way and is under the control of the City of Lansing.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the City Major Street System.

Motion by Councilmember Worthington that Resolution be adopted.

Carried unanimously

Resolution #74
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED by the City Council of the City of Lansing, Michigan, at a regular meeting held at the City Hall on February 27, 1990:

WHEREAS, the City of Lansing did in 1989 construct a segment of Edgewood Blvd., from Martin Luther King Jr./Logan to Washington

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Ave. and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Local Street system for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, IT IS RESOLVED:

1. The center line of said street is described as:

Commencing at a point on the Easterly Right-of-Way line of Logan Street distant 500°01'08"E, 670.81 feet and distant West 916.03 feet from the Northeast Corner Section 7, T3N, R2W, City of Lansing, Ingham County, Michigan; thence S45°36'50"E, 70.03 feet; thence 279.96 feet along a curve to the right, said curve having a delta angle of 22°23'46", a radius of 716.20 feet, and Long Chord of 278.17 feet bearing S34°24'57"E; thence S23°13 04"E, 68.71 feet, thence 1,464.50 feet along a curve to the left, said curve having a radius of 1,527.89 feet, a delta angle of 54°55'08", and a Long Chord of 1,409.08 bearing S50°40'38"E; thence S78°08'12"E, 2,408.37 feet; thence 411.06 feet along a curve to the left, said curve having a delta angle of 24°39'48", a radius of 954.93 feet, and a Long Chord of 407.89 feet bearing N89°31'54"E; thence N77°12'00"E, 591.08 feet; thence 960.00 along a curve to the right, said curve having a delta angle of 28°48'00", a radius of 1,909.86 and a Long Chord of S88°24'00"E, 949.94 feet; thence S74°00'00"E, 483.35 feet to the point of ending on the Westerly Right-of-Way 1ine of Washington Avenue.

2. That said street is located within a City Right-of-Way and is under the control of the City of Lansing.

3. That said street is a public street and is for public street purposes.

4. That said street is accepted into the City Major Street System.

Motion by Councilmember Worthington that Resolution be adopted.

Carried unanimously

O. Transfer of Funds

REFERRED TO THE WAYS AND MEANS COMMITTEE

COMMITTEE REPORTS

Councilmember Benavides called for a roll call vote on the two Committee Reports and requested that he be allowed to voice his concerns with these reports.

Councilmembers Adado and Worthington requested that Councilmember Benavides voice his concerns prior to the vote being taken.

Councilmember Benavides stated that he felt that the City could have responded more compassionately in the handling of the claims submitted by Donald Frost.

Councilmember Adado stated that he also had reservations on these reports but didn't know of any legal reason not to deny the claim.

Councilmembers Lindemann and Schmidt explained the position of the General Services Committee in that they had fully researched these two claims and had done all they could to explain them to Mr. Frost.

Mr. Foulds was available to answer the questions of Councilmembers and the reports moved to the roll call vote.

THE COMMITTEE ON GENERAL SERVICES

TO WHOM WAS REFERRED the complaint by Mr. Donald Frost regarding the tax assessment on his home and property at 4406 Ingham Street.

REPORTS AS FOLLOWS: The Committee has fully reviewed all Mr. Frost's claims of discrepancies and errors in his real property assessments and has reviewed with the Assessor's staff the assessment records and procedures. The Committee concurs with the conclusion of the Administration that there is no discrepancy or error established by Mr. Frost or evidenced in the assessment records or procedure that affects the assessment or real property tax for the tax years which he questions.

The Committee finds no basis for this complaint and recommends the claim be denied.

SIGNED
BY COUNCILMEMBER SCHMIDT

That the report of the Committee be adopted.

Motion by Councilmember Schmidt to adopt Committee report.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: Benavides

THE COMMITTEE ON GENERAL SERVICES

TO WHOM WAS REFERRED the complaints by Mr. Donald Frost regarding structural set-back and water run-off in the neighborhood of his property at 4406 Ingham Street.

REPORTS AS FOLLOWS: The Committee has reviewed both complaints with administrative staff. Testimony was received establishing the following facts:

1. Set-back: The homes in the area of Mr. Frost's home conform to the applicable zoning and building code set-back requirements when built and at present. Therefore, Mr. Frost's concerns regarding set-back violations in the area of his home are without merit.

2. Run-off: Natural run-off of water in the area complained of existed prior to the construction of new homes and natural drainage patterns of the area have not been affected by the new home construction. Despite this fact, there are no City ordinances which govern the natural water drainage disputes between neighbors. Therefore, Mr. Frost's complaint about water discharged onto his property from his neighbor's property is not a public issue, but rather a private legal dispute which, if he wishes, he may pursue himself in civil court against his neighbor.

The Committee concurs with Administration that there is no basis for these complaints and recommends both claims be denied.

SIGNED
BY COUNCILMEMBER SCHMIDT

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That the report of the Committee be adopted.

Motion by Councilmember Schmidt to adopt Committee report.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: Benavides

Resolution #75
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Douglas C. Wiley and Lorene D. Wiley, 5942 Hughes Road, Lansing, Michigan 48911, has granted an easement to the City of Lansing for the construction and maintenance of the Cavanaugh Road Bridge, in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

That part of the North half of the Southeast ¼ of Section 34; Commencing at the Center of Section 34, T4N, R2W, City of Lansing; thence due East along the E-W ¼ Section line, otherwise known as the centerline of Cavanaugh, 820 ft; thence due South 33 feet to the Point of beginning of this easement; thence due South 20 feet; thence due East 92.00 feet; thence due North 20.00 feet; thence due West 92.00 feet to the point of beginning.

WHEREAS, said Easement has been approved as to form by the City Attorney.

WHEREAS, Douglas Wiley is a City Employee, and has placed on file with the City Clerk an Affidavit setting forth his interest in the property and the details of the transaction, in fulfillment of the requirements of the City Charter.

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

I hereby certify that funds are available for the City of Lansing's payment of $1,437.41 for said easement in account #401-452-010-974.693. Charles S. Remenar, Deputy City Controller

Motion by Councilmember Worthington to adopt Resolution.

Carried unanimously

Resolution #76
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Alex J. Boegner and Mary C. Boegner, 2343 Eifert Road, Holt, Michigan 48842, has granted an easement to the City of Lansing for the construction and maintenance of the Cavanaugh Road Bridge in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

That part of the North Half of the Southeast ½ of Section 34; Commencing at the Center of Section 34, T4N, R2W, City of Lansing; thence due East along the E-W ¼ Section line, otherwise known as the centerline of Cavanaugh Road, 912 ft; thence Due South 33 feet to the Point of beginning of this easement; thence Due South 20 feet; thence Due East 128.00 feet; thence Due North 20.00 feet; thence Due West 128.00 feet to the point of beginning.

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $2,000.00 for said easement in account #401-452-010-974.693. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

Motion by Councilmember Worthington to adopt Resolution.

Carried unanimously

Resolution #77
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS: Mr. James Riley is being duly honored on February 27, 1990.

WHEREAS, Mr. Riley became a Lansing resident in 1957 after attending and receiving his degree in Mortuary Science from Wayne State University; and

WHEREAS, Mr. Riley opened his own business, "Riley Funeral Home" on June 16, 1957 in addition to working full time for the United States Postal Service; and

WHEREAS, because of Mr. Riley's skills as a caring communicator to those in mourning and his compassionate ways, his business has continued to prosper for the last thirty-three years; and

WHEREAS, he dedicated himself to the City of Lansing in many ways by countless hours of community service; and

WHEREAS, he served on the City of Lansing Housing Commission for approximately fifteen years, of which he served as President of this Board for several years; and

WHEREAS, Mr. Riley is a Golden Heritage Life Member of the N.A.A.C.P, a member of the Urban League, Capitol Lodge No. 8, F & A.M., Silver Leaf Lodge No. 534, I.B.P.O.E. of W., and Omega Psi Phi Fraternity, Inc.;

NOW, THEREFORE, BE, IT RESOLVED, the City Council of the City of Lansing hereby commends and truly extends a sincere "THANK YOU" to Mr. Riley for dedicating himself unselfishly to the citizens of Lansing.

BE IT FURTHER RESOLVED, the City Council CONGRATULATES you upon receipt of a most deserved honor and sends BEST WISHES to you and your family.

Motion by Councilmember Ford to adopt Resolution.

Carried unanimously

Resolution #78
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 3207 Ingham Street, legally described as:

Lot 495, Pleasant Grove Subdivision No. 1

was an unsafe or dangerous building as defined in Section 1460.24

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of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS a hearing was held by the Hearing Officers on November 30, 1989 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 29, 1990 to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

WHEREAS, the Public Services Committee discussed this issue at length with the present deed holder, Attorney Harvey, and the potential buyers of said property, and

WHEREAS, the procedure that the owner must follow to gain control of the property will take four (4) months;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within four (4) months from the date of this resolution February 26, 1990; and

BE IT FURTHER RESOLVED, that Attorney Hoffman and the owner have agreed to keep the structure secure during that period of time, and to further keep the premises free to trash, junk or garbage, maintain the yard, and remove the dead tree from the front yard which poses danger to others: and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building: and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all reapects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann to adopt Resolution.

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS, IF ANY

1. Letter from Linda Williams of 1917 Teel Avenue supporting the planting of trees on Cedar Street after it has been widened.

REFERRED TO THE PARKS DEPARTMENT

2. Letter from Kevin Kelly of the Michigan State Medical Society regarding the need for increased human services for Lansing residents.

REFERRED TO THE WAYS AND MEANS COMMITTEE

3. Letter from the City Clerk requesting that Council consider amendments to Ordinance No. 860 to reduce the licensing requirements regarding the Greater Lansing Convention/Exhibition Authority.

REFERRED TO GENERAL SERVICES COMMITTEE

4. Letter from the Greater Lansing Convention/Exhibition Authority requesting amendments to Ordinance No. 860.

REFERRED TO GENERAL SERVICES COMMITTEE

PUBLIC COMMENTS

Russell Greear of 1517 Bailey Street stated that nothing had been done to improve police protection in his neighborhood since bringing the problem to the attention of Council at the February 12, 1990 regular session.

Mr. Arnold of 1800 S. Pennsylvania Avenue spoke to Councilmembers regarding the median on Pennsylvania Avenue between 496 and East Mt. Hope. He felt that this portion of the median should be removed by the City.

Don Baker of His Auto Service also spoke in support of removing the median on this section of Pennsylvania Avenue.

Jim Schmidt of 1800 S. Pennsylvania Avenue also spoke in support of the removal of the median and stated that he had received the support of property owners of 1720 S. Pennsylvania and 1726 S. Pennsylvania as well.

Councilmember Benavides moved that two additional minutes be granted to Mr. Schmidt.

Carried

Councilmember Ford moved that one additional minute be granted to Mr. Schmidt.

Carried

Councilmember Schmidt asked Howard McCaffrey what was needed to get action proceeding on this issue. Mr. McCaffrey stated that survey results are due back today and that he expected to have a report back to the Mayor by the end of March.

Steve McCourts of 1617 S. Pennsylvania Avenue spoke in favor of leaving the median in the area under discussion.

George Potter of 1619 S. Pennsylvania Avenue also spoke in favor of leaving the median in the area under discussion. He stated that he had talked to twenty families in the area and they all were in

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favor of leaving the median and adding trees.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Howard McCaffrey spoke in the absence of the Mayor and the Executive Assistant. He mentioned that there is a salt strike and salt has been unavailable since February 19, 1990. The City is trying to stretch the limited supply available and he wanted everyone to be aware of the situation and to exercise extra caution when driving.

Jo Flaherty of the Mayor's Office spoke to extend the sympathy of all to the families of Juan Salazar of the Board of Water and Light and Donald Sturdivant of the Lansing Fire Department. She also expressed the thanks of the Mayor for the calls and letters he has received while in the hospital.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann asked for a status from the Mayor's Office for his request for the boarding up of the house at 620 Baker Street.

Councilmember Schmidt asked Mr. McCaffrey if there was anything they could do about the speed of the snow removal trucks and the fact that they are dumping snow into cleared driveways and sidewalks. Mr. McCaffrey responded that he would make sure that the trucks are complying with the speed limits but that there is little that can be done to avoid this situation because of the small area between the curbs and sidewalks and to the large volume of snow being plowed.

Councilmember Benavides asked Mr. Knot what the responsibility of the City is regarding notification of the change of name of Edgewood Boulevard to Georgetown Boulevard. Mr. Knot responded that the City does not have a legal responsibility to notify these residents but felt that it had been done in the past.

Councilmember Adado stated that he felt necessary funds should be transferred to support such a notification of affected residents if this is what is needed to get communication of the name change to affected residents.

Council President Belen said that this issue would be added to the agenda of the Committee of the Whole for next week's session.

Councilmember Ford extended his condolences to the family of Donald Sturdivant.

Councilmember Adado stated that the Committee on Economic Development will be meeting tomorrow morning.

BY COUNCIL PRESIDENT BELEN:

Council adjourned at 9:07 P.M.

James D. Blair
City Clerk
Lansing, MI

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, March 5, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
March 5, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Schmidt and Worthington

ABSENT: Councilmembers Crawford, Ford

The Invocation and Pledge of Allegiance were given by Councilmember Lindemann.

Councilmember Schmidt moved that the minutes for proceedings of January 22, 1990; January 25, 1990; and January 29, 1990 be approved as printed.

Motion carried

By Councilmember Schmidt:

That we suspend the rules to accept the following:

1. Resolution confirming the apointment of Robert E. Krebs to the Capitol Area Rail Council from the Committee on General Services

2. Letter from Dan Miller of 1825 Hoyt Avenue regarding the condition of Hoyt Avenue

3. Letter from John Tucker, Executive Director of Youth Development Corporation, regarding non-profit resolution for fundraiser this Spring

4. Letter from Wayne Wudyka, Operations Manager of Stearns Investment Corporation, protesting the sidewalk assessments for 5520-5540 South Pennsylvania Avenue

Motion carried

(For handling of these items, see CONSIDERATION OF LATE ITEMS Section)

PUBLIC HEARINGS

1. March 5, 1990 at 7:00. o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the approval of an Industrial Facilities Exemption Certificate for O'Leary Paint Company, 415 Baker Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the Industrial Facilities Exemption Certificate, they would have the privilege of speaking at this time.

No public speakers

REFERRED TO ECONOMIC DEVELOPMENT COMMITTEE

2. March 5, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the Department of Parks and Recreation Master Plan for the Years 1990-1994.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the Five Year Plan, they would have the privilege of speaking at this time.

Eric Reickel, Director of the Parks and Recreation Department, was present to answer any questions.

Pat Murray of 216 Moores River Drive spoke on behalf of the South Central Neighborhood Association. He expressed the need for repairs and maintenance to Moores Park.

Janet Clark of 5846 Curtice, spoke on behalf of senior citizens and proposed a Senior Citizen's Center be developed for the South end of the City.

John Barron of 1637 Willow Creek spoke on behalf of the Potter Park Zoo Society about the need for renovations at the Zoo.

Ina Martin of 3421 Glasgow, a volunteer at Potter Park Zoo, also spoke in support of improvements at the Potter Park Zoo.

Priscilla Holmes of 220 Reo Avenue raised the issues of the need for more programs for adolescents and for improved maintenance in all parks.

Tim Russell of 1314 Berten, Street spoke on behalf of the Greater Lansing Amateur Golfer s Association. He expressed thanks for the work that has been done at Groesbeck Golf Course and the hopes of the Association that similar improvements would be made to other City courses.

Russell Clousing of 4221 N. Grand River Avenue spoke in support of extending the Riverwalk between Michigan State University and Potter Park.

Gerald Diggs of 4000 W. Michigan Avenue spoke of the need for more supplies (arts and crafts) at the Centers and for more facilities on the South side of the City.

Lowell Daniels of 1011 Princeton spoke about the lack of bathroom facilities at Comstock Park and the need for increased support for youth softball and football.

Jim Donahue of 1656 Lake Drive, Past President of the Greater Lansing Amateur Golfer's Association, thanked the Parks Department for the work done at Groesbeck Golf Course and supported similar improvements at the other golf courses.

There were no other public speakers

No public speakers

REFERRED TO PUBLIC SERVICES COMMITTEE

6. March 5, 1990 at 7:00 o'clock P.M. in the City Council

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Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolition of property located at 1225 Larned Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition, they would have the privilege of speaking at this time.

No public speakers

REFERRED TO PUBLIC SERVICES COMMITTEE

7. March 5, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolition of property located at 620 S. Fairview Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition, they would have the privilege of speaking at this time.

No public speakers

REFERRED TO PUBLIC SERVICES COMMITTEE

8. March 5, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolition of property located at 923 W. Ionia Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition, they would have the privilege of speaking at this time.

Michael Hannon of 917 N. Ionia Street stated that he is the new owner of this property and that he will be making the needed repairs.

No other public speakers

REFERRED TO PUBLIC SERVICES COMMITTEE

9. March 5, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolition of property located at 1820 Perkins Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition, they would have the privilege of speaking at this time.

No public speakers

REFERRED TO PUBLIC SERVICES COMMITTEE

PUBLIC COMMENT ON ITEMS OF BUSINESS SCHEDULED FOR ACTION, INCLUDING CITY OFFICERS AND BOARDS REPORTS, COMMITTEE REPORTS, RESOLUTIONS, ORDINANCES, AND LATE ITEMS APPROVED FOR CONSIDERATION. (TIME LIMIT: 5-MINUTES PER SPEAKER)

No public speakers

Councilmember Benavides moved that Communications and Petitions be considered as read in full and referrals made by the Council President.

Carried

COMMUNICATIONS AND PETITIONS

1. Claim and protest of Joseph and Deborah Brown Regarding Assessments From Special Assessment Roll B26

REFERRED TO GENERAL SERVICES COMMITTEE

2. Letter from P. Michael Malone of 7317 W. Victoria in Laingsburg Refusing to Pay Assessment for Removal of Trash at a Property Owned by him in Lansing

REFERRED TO THE CITY ATTORNEY

3. Letter from George D. Goodman, Executive Director of the Michigan Municipal League, regarding the Annual Meeting for Region II Officials Set for April 18, 1990

RECEIVED AND PLACED ON FILE

4. Letter from Donald Nobach, Coordinator of Earth Day/1990, requesting Support for their Organization

REFERRED TO THE MAYOR

5. Letter from James H. Saker and Clyde R. Flory of Progressive Properties located at 600 S. Capitol Avenue objecting to the Special Land Use permit for vacant land in the 200 block of W. St. Joseph (SLU-18-89)

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

6. Letters in Support of the Removal of the Median on South Pennsylvania Avenue in the Area of Mt. Hope Received from the Following:

-Phil Ballbach, 19th District Ingham County Commissioner
-John and Dolly Sherman of J&J Trucking
-Joseph P. Maguire of Wolverine Development Corporation, 1350 East Lake Lansing Road

REFERRED TO THE MAYOR

7. Letter from Don and Virginia DeCair of 1602 W. Rundle Submitting a Proposed Ordinance Requiring the Licensing of Cats

REFERRED TO THE MAYOR AND
PUBLIC SERVICES COMMITTEE

8. Letter from the Reverend Edward G. Rice of All Saints Episcopal Church Requesting Additional Funding and Support for Human Services in the Lansing Area.

REFERRED TO THE MAYOR AND
THE WAYS & MEANS COMMITTEE

9. Letter from Marshall Hudson Requesting Mayor McKane to Serve as Honorary Chair for a Salute to Richard Letts.

REFERRED TO THE MAYOR AND WAYS & MEANS COMMITTEE

10. Letter from Mark Mitchell of 3114 Alden Drive Requesting Assistance in Obtaining Needed Repairs to Streets in the Area Bounded by Logan, Miller and Haag.

REFERRED TO THE MAYOR

11. Amended Request Received from Michigan Department of

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Commerce, Liquor Control Commission, for Approval of Dance, Entertainment or Dance-Entertainment Permit to Capitol Catering, Inc. (Michigan United Conservation Clubs)

REFERRED TO THE CITY CLERK

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT on agenda items, including late items approved for consideration

Mr. Boyd briefly covered the Mayor's letters # 4A, 4B, 4D and 4G.

REPORTS OF CITY OFFICERS AND BOARDS

Resolution #81
March 5, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. There are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Mark Robert Sefcik, Marcin Ludwiczak, David Leroy Faidley

PEDDLER'S LICENSE: Gina E. Streeter

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the recommendation of the City Clerk be approved.

Carried unanimously; Crawford and Ford absent

2. Notice from the City Clerk on the Availability of Proposed February 26, 1990 Minutes of Council Proceedings for Review

RECEIVED AND PLACED ON FILE

3. Letter from the City Attorney Advising of Non-Profit Status of the Smocking Arts Guild of America

REFERRED TO THE GENERAL SERVICES COMMITTEE

4. Letters from the Mayor re:

A. Reappointment of John Decker to the Downtown Mall Advisory Board; Term Expiration 2/1/93

Resolution by Councilmember Benavides to confirm the appointment:

Carried unanimously; Crawford and Ford absent

B. Reappointment of Michael F. Smith to the Downtown Mall Advisory Board; Term Expiration 2/1/93

Resolution by Councilmember Benavides to confirm the appointment:

Carried unanimously; Crawford and Ford absent

C. Proposed Improvements for Riverfront Security Received from the Police Chief and the Parks Director

REFERRED TO THE PUBLIC SAFETY COMMITTEE

4D.
Resolution #82
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, restoration work for the South Grand Parking Garage is scheduled for the 1990 construction season and would take 130 calendar days using one crew for an eight-hour shift during the day; and

WHEREAS, restoration would take 65 calendar days using one crew on each of two eight-hour shifts, (one during the day and one in the evening); and

WHEREAS, third shift and weekend work opportunities might further expedite restoration activities; and

WHEREAS, there is a critical parking shortage in downtown Lansing and up to 148 parking spaces in the South Grand Parking Garage will be taken out of service for the duration of the restoration; and

WHEREAS, there are no residential properties within 300 feet of the South Grand Parking Garage;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 654.11 of the Codified Ordinances of the City of Lansing, the Lansing City Council hereby authorizes construction activities in the South Grand Parking Garage to take place seven days a week, 24 hours a day during the 1990 construction season.

Motion by Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the recommendation of the Mayor be adopted.

Carried unanimously; Crawford and Ford absent

E. Recommendation Supporting Tax Abatement Review for O'Leary Paint Company

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

F. Recommendation regarding a Proposed North Lansing Historic District "Anchor Project"

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE

4G.
Resolution #83
March 5, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

A letter from WMMQ Radio Station has been received in my office so that a public hearing can be scheduled. WMMQ is requesting a waiver of the City Noise Ordinance to hold their annual Brown Bag Lunch Concert series every Friday from May 25th-August 31, 1990 on the Washington Square Mall. This request has been approved

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by the Washington Square Mall Advisory Committee.

I, therefore, am requesting that the Council adopt a resolution to set a Public Hearing for April 9, 1990 at 7:00 o'clock P.M. on the proposed waiver of the noise ordinance.

Sincerely,
Terry J. McKane
Mayor
City of Lansing, MI

Motion by: Councilmember Benavides:

Resolution by the City Council, City of Lansing, that the recommendation of the Mayor be approved.

Carried unanimously; Crawford and Ford absent

COMMITTEE REPORTS

March 1, 1990
SLU-17-89
725 East Saginaw Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request by the Eyde Company for property at 725 East Saginaw Street for the purpose of developing an off-street parking lot to be used in conjunction with the industrial office building at 725 East Saginaw Street.

REPORTS AS FOLLOWS:

That the request for a Special Land Use be approved subject to:

1. Installation of appropriate landscaping, screening and buffering along the south property line.

2. Compliance with all other applicable state and local Code requirements.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Crawford, Ford

March 1, 1990
SLU-18-89
200 Block West St. Joseph Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request by Kenneth D. Ellis for property in the 200 Block of West St. Joseph Street for the purpose of establishing an off-street parking lot for approximately 76 vehicles.

REPORTS AS FOLLOWS:

That the request for a Special Land Use be approved subject to a final site plan being approved by the Public Service Department and the Department of Planning and Municipal Development.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Crawford, Ford

March 1, 1990
SLU-19-89
2733/2735 South Washington Avenue
Vacant Land Formerly known as 2717-2721-2729 South Washington Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request by Ingham Medical Center Corporation for property at 2733/2735 South Washington Avenue, vacant land formerly known as 2717, 2721, 2729 South Washington Avenue for the purpose of developing a patient family guest house containing fifteen (15) guest rooms.

REPORTS AS FOLLOWS:

That the request for a Special Land Use be approved subject to:

1. All the conditions set forth in the inspection reports by the Public Service Department, Fire Marshal and the Board of Water and Light.

2. A final site plan and construction drawings being submitted to and approved by the Planning Division and the Building Safety Division, and Transportation Engineer prior to the issuance of building permits.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Crawford, Ford

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Z-24-89
205 East Mount Hope Ave

The Committee on Physical Development

To whom was referred the rezoning petition Z-24-89—204 East Mt. Hope Avenue to be rezoned from 'D-1' Professional Office District to 'C' Residential District.

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

Motion by Councilmember Worthington:

Carried unanimously; Crawford and Ford absent

March 1, 1990
SLU-20-89
204 East Mt. Hope Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request by Imogene Wright for property at 204 East Mt. Hope Avenue for the purpose of establishing a foster care facility for ten (10) elderly women.

REPORTS AS FOLLOWS:

That the requst for a Special Land Use be approved subject to:

1. Installation of appropriate landscaping, screening and buffering along the south property line.

2. Compliance with all other applicable state and local Code requirements.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Crawford, Ford

Resolution #84
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Bureau of State Lottery, Charitable Gaming Division, Smocking Arts Guild of America has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes Smocking Arts Guild of America as a non-profit organization.

Motion by Councilmember Schmidt:

Carried unanimously; Crawford and Ford absent

Resolution #85
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council issued a Commercial Facilities Exemption Certificate (CRD-3-84) to Ted Freidinger for a new facility at 2215 W. Holmes; and

WHEREAS, Shanoras Beauty and Barber Supplies has applied for the transfer of this Commercial Facilities Exemption; and

WHEREAS, a hearing was held on Shanora's application for an Exemption Certificate transfer on February 26, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Shanoras Beauty and Barber Supplies has met or will meet the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate for a new facility in Lansing Commercial Redevelopment District CRD-3-84, to Shanoras Beauty and Barber Supplies.

Motion by Councilmember Adado:

Carried unanimously; Crawford and Ford absent

Resolution #86
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the City of Charlotte has received an application from Trition Industries, Inc. for an Industrial Facilities Exemption Certificate for a project located in Charlotte, Michigan; and

WHEREAS, this project will result in the transfer of employment from the City of Lansing to the City of Charlotte; and

WHEREAS, the legislation authorizing the issuance of an Industrial Facilities Exemption Certificate (P.A. 1974, No. 198) requires that projects which result in the transfer of employees between Michigan municipalities must receive the consent of the local governmental unit from which employees are to be transferred; and

WHEREAS, the City of Lansing recognizes the value of both regional cooperation in the area of economic development and the availability of an open and free regional market for the location of economic activity, provided that the maintenance of that open and

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free market does not result in undue negative impacts on particular municipalities.

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing hereby consents to the granting of an Industrial Facilities Exemption Certificate for the Trition Industries, Inc. project, pursuant to Section 9(2) (f) of the P.A. 1974, No. 198.

Motion by Councilmember Adado:

Carried unanimously; Crawford and Ford absent

Resolution #87
SLU-17-89
725 East Saginaw Street

WHEREAS a request has been made by the Eyde Company to receive a special land use to develop a parking lot on property zoned "C" Residential District and located at 725 East Saginaw Street, more particularly described as:

Lots 8, 9 and the east 30 feet of Lot 7, Block 2, Prines Sub., also Lots 3 through 9 inclusive and the west B of Lot 2, Lathrop's Addition, City of Lansing, Ingham County, Michigan; and

WHEREAS the Lansing Planning Board has reviewed the request for a special land use according to the requirements outlined in Chapter 1282 of the Zoning Code and has recommended approval of the special land use subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves this special land use request by the Eyde Company for property located at 725 East Saginaw Street for the purpose of expanding off street parking in conjunction with the use of the Prudden Place as a mixed use facility subject to the following:

1) Approval of a site plan by the Planning Division and Transportation Engineer showing design, layout and access of the parking lot and landscape, screening and buffering.

2) Final disposition of public rights-of-way already vacated by the City.

In approving this request the Council considered the following:

1. The off street parking lot can be completed, constructed, operated and maintained in a manner harmonious with the character of the adjacent residential property. This will require the installation of landscaping, screening and buffering.

2. The surface off street parking lot does not change the essential character of the surrounding area since its existence will contribute to the required off street parking for the existing industrial building.

3. The off street parking lot should not interfere with the general enjoyment of the adjacent property provided that landscaping, screening and buffering is installed between the residential and non-residential uses.

4. The completion of the off street parking lot will be an improvement to the use and character of the property under consideration and the surrounding area.

5. The off street parking lot does not represent a hazard, nor does it adversely impact the surrounding uses from the standpoint of increased activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6. It was found that the proposed off street parking lot can be adequately served by the essential public facilities and services. However, the Public Service Department has requested that the initial storm water drainage hook-up be changed to alleviate storm water from running into the sanitary services. Based on the latest information from the Public Service Department this requirement has been completed.

7. The off street parking improvement is consistent with the intent and purpose of the Master Plan.

Motion by Councilmember Worthington:

Carried unanimously; Crawford and Ford absent

Resolution #88
SLU-18-89
200 Block West St. Joseph Street

WHEREAS Kenneth D. Ellis has requested a Special Land Use permit to allow the construction of a commercial, surface, off-street parking lot for approximately 76 cars in the 200 block of West St. Joseph Street, more particularly described as:

Lot 4 and the east 71 feet of Lot 5, Block 159, Original Plat, City of Lansing, Ingham County, Michigan; and

WHEREAS the above described property is zoned D-1 Professional Office District which allows the proposed use if a Special Land Use permit is approved; and

WHEREAS the Planning Board has reviewed the request and has recommended approval subject to conditions and giving consideration to the standards as outlined under Chapter 1282 of the Zoning Code; and

WHEREAS the Physical Development Committee of City Council has reviewed the recommendations of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves a Special Land Use permit for Kenneth D. Ellis to construct a commercial, surface, off-street parking lot for approximately 76 cars with the condition that a final site plan be reviewed and receive approval by the Public Service Department and the Department of Planning and Municipal Development; and

BE IT FURTHER RESOLVED that the Lansing City Council found the following:

1. The proposed surface off-street parking lot can be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

2. The proposed surface off-street parking lot does not change the essential character of the surrounding area.

3. The proposed off-street parking lot is not anticipated to interfere

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with the general enjoyment of adjacent property.

4. The proposed surface off-street parking lot can be an improvement to the use or character of property under consideration and the surrounding area in general and can be designed in keeping with the natural environment of the lot.

5. The proposed surface off-street parking lot does not represent a hazard to adjacent property and does not involve uses, activities, materials or equipment which are detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6. The proposed surface off-street parking lot can be adequately served by essential public facilities and services.

7. The proposed surface off-street parking lot can be designed in such a way as to not place demands on public services and facilities in excess of current capacity.

8. The proposed surface off-street parking lot is consistent with the intent and purpose of the Zoning Code and the River Island Amendment Plan.

9. The proposed surface off-street parking lot can be designed and constructed to meet the dimensional requirements of the D-1 Professional Office District.

Motion by Councilmember Worthington:

Carried unanimously; Crawford and Ford absent

Resolution #89
SLU-19-89
2733/35 South Washington Avenue

WHEREAS the Ingham Medical Center Corporation has requested a Special Land Use permit to allow for the construction of a fifteen guest room patient family guest house on the site known as 2733/2735 South Washington Avenue and vacant land formerly known as 2717, 2721 and 2729 South Washington Avenue, more particularly described as:

Beginning at the northwest corner of Lot 40 Washington Park Sub.; thence northeasterly along the southeasterly line of Eaton Rapids Road (Washington Avenue) 238.9 feet; thence southeasterly 178.9 feet to a point 90 feet west of the northeast corner of Lot 33 Washington Park Sub., thence south 115.5 feet to a point on the north line of Lot 34 Washington Park Sub. 23.44 feet west of the northeast corner of said Lot 34; thence west 105.65 feet along the north line of Lot 34 to the northwest corner of said Lot 34; thence south 20 feet along the west line of said Lot 34; thence south 63^0 43' west 119 feet to the northeasterly line of Lot 38, Washington Park Sub.; thence north 58^0 48' west 150 feet to beginning, part of the southwest ¼ of Section 28, T4N, R2W, City of Lansing, Ingham County, Michigan; and

WHEREAS the Planning Board has reviewed the request and has recommended approval subject to conditions and giving consideration to the standards as outlined under Chapter 1282 of the Zoning Code; and

WHEREAS the Physical Development Committee of City Council has reviewed the recommendations of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves a Special Land Use permit for Ingham Medical Center Corporation to construct a patient family guest house with fifteen guest rooms on the above described property subject to:

1. Installation of appropriate landscaping, screening and buffering along the south property line.

2. Compliance with all other applicable state and local Code requirements.

BE IT FURTHER RESOLVED that the City Council found the following:

1. The project is to be designed, constructed, operated and maintained in a manner harmonious with the character of the adjacent property and the surrounding area.

2. The proposed use of the property will not change the essential residential character of the surrounding area.

3. The proposed use will not interfere with the general enjoyment of adjacent property.

4. The proposed development represents an improvement to the character of property under consideration and the surrounding area in general and also is in keeping with the natural environment of the lot.

5. The proposed use will not be hazardous to adjacent property or does not involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6. It has been determined that the proposed developmentcan be adequately served by essential public facilities and services.

7. It has been determined that the proposed development will not place demands on public services and facilities in excess of current capacity.

8. The proposed development is consistent with the intent and purpose of the A Residential District and the objectives of the Southeast Area Comprehensive Plan.

9. The proposed development will meet the dimensional requirements of the A Residential District.

Motion by Councilmember Worthington:

Carried unanimously; Crawford and Ford absent

Resolution #90
BY: THE COMMITTEE OF THE WHOLE

WHEREAS, Chapter 860 of the Lansing Code of Ordinances provides for City Council to license fees for shows.

NOW, THEREFORE, BE IT RESOLVED, that the license fees for shows held at the Lansing Civic Center and Lansing Exhibition Hall shall be waived.

Councilmember Adado made a motion for an Amended Resolution changing wording of Lansing Civic Center to Lansing Civic Arena.

Carried unanimously to accept Amendment to Resolution.

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Motion by Councilmember Adado to accept Resolution, as amended

Carried unanimously; Crawford and Ford absent

Resolution #91
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by resolution adopted January 22, 1990, this Council approved a street name change from West Edgewood Boulevard to Georgetown Boulevard in accordance with the provisions of a federal district court order; and

WHEREAS, after the Council action, residents of the street appeared at Council meetings and presented petitions asking that the previous name be restored, and stating that they had never been informed that the name change had been approved; and

WHEREAS, the Council does not have the option of restoring the previous name to the street due to the court order; and

WHEREAS, the Mayor has requested policy guidance regarding notifications after street name changes;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby establishes a standing policy that all affected residents and property owners, as well as the U. S. Postal Service and all concerned utilities, shall be notified by the Planning and Municipal Development Department within 14 working days from the time the City Council approves a street name change; and

BE IT FINALLY RESOLVED the Administration is authorized to charge the costs of such notification to the appropriate account within the Planning and Municipal Development Department.

Motion by Councilmember Adado to accept Substitute Resolution:

Carried unanimously; Crawford and Ford absent

Motion by Councilmember Adado to adopt Substitute Resolution:

Carried unanimously; Crawford and Ford absent

Resolution #92
BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Fifth Annual Hispanic Women's Conference will be held at Lansing Community College on Saturday, May 12, 1990; and

WHEREAS, many young people will be attending the conference seeking advice, direction and support from Hispanic women throughout the City and State who already have established themselves in leadership roles; and

WHEREAS, the City of Lansing is fortunate in having a number of Hispanic women who serve as excellent role models to the up and coming youth of of our community; and

NOW, THEREFORE,BE IT RESOLVED, the Lansing City Council hereby commends those women who have taken the time to develop a program that will enhance the positive image and develop the lifelong goals of not only Hispanic women but all women of the 90's; and

BE IT FURTHER RESOLVED, THE LANSING CITY COUNCIL encourages all women to attend this dynamic conference.

March 5, 1990

Motion by Councilmember Benavides:

Carried unanimously; Crawford and Ford absent

BY COUNCILMEMBER LOUIS ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in September 1985, a Lansing Planning Board Public Act 285 Review recommended sale of the Civic Center to the State of Michigan; and

WHEREAS, in 1886, the City/State Revitalization Task Force recommended the sale of the Civic Center including the entire building complex and the parking area; and

WHEREAS, the sale of the Civic Center would reduce certain General Fund subsidy costs to the City; and

WHEREAS, the sale of the Civic Center would also provide needed funds for capital improvement and expansion of the Lansing Center, thereby advancing the goal of accommodating a broad range of functions and events in one location; and

WHEREAS, the City's exclusive offer to sell the Civic Center to the State of Michigan expired October 1, 1989; and

WHEREAS, the City Council has previously expressed their desire to enter into a sale lease-back agreement to provide, where appropriate, existing tenants and scheduled events to be continued during the interim period;

NOW, THEREFORE, BE IT RESOLVED that while the City Council remains hopeful concerning the sale of the Civic Center to the State of Michigan, the City Council hereby goes on record as desiring to sell the Civic Center to any buyer willing to meet the conditions of this policy statement; and

BE IT FURTHER RESOLVED that the conditions of sale are:

1. That the sale lease-back agreement provide for the accommodation of all existing tenants and scheduled events for up to a two year period from the date of the sale agreement.

2. That a major objective of the sale negotiations will be to assure that any and all tenants will not be forced to relocate without suitable alternative sites being identified.

3. That the sale arrangement conforms to the Federal requirements as they pertain to the Senior Center and the legal requirements, if any, of the Veterans, Chamber of Commerce, and Prudden heirs; and

BE IT FURTHER RESOLVED the Mayor is requested to conduct a facility study to determine the need and/or appropriate sites for relocation of Civic Center events to other facilities; and

BE IT FURTHER RESOLVED that the proceeds from the sale of the Civic Center facilities shall be earmarked for improvement to the facilities or services at the Lansing Center or to provide alternatives for services that had occurred at Civic Center; and

BE IT FURTHER RESOLVED that the Mayor and his staff are requested to undertake negotiations for sale of the Civic Center

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facility and property within the guidelines set forth above; and

BE IT FINALLY RESOLVED that prior policy statements regarding the sale of the Civic Center dated February 9, 1987, and May 15, 1988, are hereby repealed.

Motion by Councilmember Adado to amend Resolution to change all references to Lansing Civic Center to Lansing Civic Arena in the Resolution:

Carried unanimously; Crawford and Ford absent

Motion by Councilmember Adado to accept Resolution, as amended:

Carried unanimously; Crawford and Ford absent

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by adding Sections 1063.01, 1063.02, 1063.03 and 1063.04 for the purpose of creating an advisory board entitled "The Environmmental Advisory Board".

was introduced by Councilmembers Lindemann, Adado and Ford; read a first and second time by its title and referred to the Public Services Committee.

Resolution #94
BY COUNCILMEMBERS LINDEMANN, ADADO AND FORD:

Resolved by the City Council of the City of Lansing that a Public Hearing be set for Monday, March 26, 1990, at 7:00 o'clock P.M. in the 10th Floor Chambers of City Council for the purpose of the Code of Ordinances by adding Sections 1063.01, 1063.02, 1063.03 and 1063.04 for the purpose of creating an advisory board entitled "The Environmental Advisory Board."

Motion by Councilmember Benavides:

Carried unanimously; Crawford and Ford absent

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-1-90—910 South Holmes Street to be rezoned from 'F' Commercial District to 'B' Residential District was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical development.

Resolution #95
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 26, 1990, at 7:00 p.m. in the 10th floor Chambers of City Council for the purpose of opposing and/or approving the Ordinance for rezoning:

Z-1-90—910 South Holmes Street to be rezoned from 'F' Commercial District to 'B' Residential District.

Motion by Councilmember 8enavides:

Carried unanimously; Crawford and Ford absent

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-24-89—204 East Mt. Hope Avenue to be rezoned from "D-1" Professional Office District to "C" Residential District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

Carried.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-24-89—204 East Mt. Hope Avenue to be rezoned from "D-1" Professional Office District to "C" Residential District be now passed.

YEAS: Adado, Belen, Benavides, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Crawford, Ford

ORDINANCE #2310
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1.That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-24-89, 204 East Mt. Hope Avenue
Parcel Number: 3301-28-202-011
Legal Description: Lot 1, except the north 10 feet and the south 2 feet, Assessor's Plat No. 46, City of Lansing, Ingham County, Michigan

From "D-1" Professional Office District to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its

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passage unless given immediate effect by the City Council.

Resolution #96
SLU-20-89
204 East Mt. Hope Avenue

WHEREAS the applicant, Imogene Wright, has requested a Special Land Use permit to establish an adult foster care facility for ten (10) elderly women at 204 East Mt. Hope Avenue, more particularly described as Lot 1 except the north 10 ft., and the south 2 ft. Assessors Plat No. 46, City of Lansing, Ingham County, Michigan, and

WHEREAS the Planning Board in its meeting of January 23, 1990 voted unanimously to recommend that the Special Land Use permit be granted subject to conditions, and

WHEREAS the Physical Development Committee of Council has reviewed the report of the Planning Board and concurs therewith,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approves a Special Land Use for property at 204 East Mt. Hope Avenue for the purpose of operating a foster care home for ten elderly women subject to the following conditions:

1. Installation of appropriate landscaping, screening and buffering along the south property line.
2. Compliance with all other applicable state and local Code requirements.

The City Council in its evaluation of this proposal considered the following:

1. The proposed use is residential in nature which will be compatible with other residential uses north and south as well as providing a good transition use between the residential, office and commercial uses along Mt. Hope.
2. The proposal should be a positive factor in stabilizing the residential area to the south and protecting the continuity of appearance along Mt. Hope.
3. The proposal should not impact either of the adjacentnon-residential uses, and with the establishment of landscaping along the south property line, sufficient buffering of the residential uses will be provided.
4. The proposal will be a positive factor and improvement to the area as well as a use which should continue to maintain and improve the individual lot.
5. The adult foster care will cause no environmental pollution or have a negative impact on adjacent areas.
6. The residential care &acility is close to public transportation and adjacent to a full-service grocery store. All necessary utilities already serve the site.
7. The existing public services and utilities will not be negatively impacted as a result of this project.
8. The Master Plan recommends residential use which is consistent with the proposal.
9. The proposal will not alter the exterior dimensions of the existing structure. Parking will be adequate.

Motion by Councilmember Worthington:

Carried unanimously; Crawford and Ford absent

CONSIDERATION OF LATE ITEMS, IF ANY

Resolution #97
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Robert E. Krebs to the Capitol Area Rail Council is hereby confirmed.

Motion by Councilmember Schmidt:

Carried unanimously; Crawford and Ford absent

2. Letter from Dan Miller of 1825 Hoyt Avenue regarding the condition of Hoyt Avenue

REFERRED TO THE MAYOR

3. Letter from John Tucker, Executive Director of Youth Development Corporation, regarding non-profit resolution for a fundraiser this Spring

REFERRED TO GENERAL SERVICES COMMITTEE AND THE CITY ATTORNEY

4. Letter from Wayne Wudyka, Operations Manager of Stearns Investment Corporation, protesting the sidewalk assessments at 5520-5540 South Pennsylvania Avenue

REFERRED TO GENERAL SERVICES COMMITTEE

PUBLIC COMMENTS

Donald Frost of 4406 Ingham Street requested further investigation be done regarding his complaints regarding the handling of his claims. President Belen stated that if Mr. Frost wrote up his protest, she would make the proper referrals to the City Attorney and to the appropriate Committees.

Mohammed Frank Curtis stated he felt the Council should give more attention to Mr. Frost's complaints and made other comments.

Dr. Willie Davis spoke on the Five Year Plan from the Parks Department. He felt that a Park Director should be named for Walsh Park.

Rick Merdith of 1917 Thompson submitted a petition opposing the rezoning of property in the 1900 block of North Larch and the 1800 block of Thompson Street. Council informed him that this would be passed on to the Planning Board and that interested persons should plan on attending the meeting set for March 6th to cover this rezoning. Mr. Merdith also had some questions for Council regarding the planned usage of the Civil Arena when it is sold. Councilmember Adado responded to these questions.

Joe Maguire of Wolverine Development Corporation spoke in support of the removal of the median on South Pennsylvaia in the area of Mt. Hope Avenue. Other speakers in support of this removal were: Bob Zarkowski, owner of the convenience store at Mt. Hope and Pennsylvania; Frank Schmidt of 1414 Lindbergh Drive; Jim Schmidt of 1800 S. Pennsylvania Avenue and Sam Brauer of 1815 S. Pennsylvania Avenue.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd stated that the property tax assessments have been

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submitted to property owners and that the increases are commensurate with the inflation rate. He explained the appeal process for these assessments.

Mr. Boyd also mentioned that the bulk pick up of trash is resuming effective March 5, 1990 and that stickers need to be affixed to these items.

Mr. Boyd stated that the report on the Convention Center should be received shortly.

Mr. Boyd mentioned that the Mayor is resting comfortably and has been doing some review of the budget.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt said that she has received calls from constituents regarding the property tax assessments and did not understand the discrepancy between the rates of increase within the same neighborhoods. She also mentioned that they will be setting up some meetings in the near future in the Cavanaugh and Mt. Hope School areas regarding sewer studies. Councilmember Schmidt mentioned that the General Service Committee will be meeting on March 6, 1990 at 2:00 P.M. regarding the special sidewalk assessments.

Councilmember Lindemann said that he felt Mr. Frost's allegation that no one is listening to his complaints was incorrect in that the Committee conducted two meetings of three hours in duration per meeting.

Councilmember Adado said that he has received many phone calls regarding the new property tax assessments and felt that some cuts could be made in the budget to offset these increases.

Councilmember Benavides stated that the Ways & Means Committee meeting scheduled for March 6, 1990 has been cancelled.

Mr. Boyd responded to comments by Councilmembers regarding the property tax assessments. He stated that assessments must be made at 50% of the true cash value of the property and that this would explain the discrepancies within neighborhoods as some properties may have had improvements made since the last assessment and others had no improvements.

BY COUNCIL PRESIDENT BELEN:

Council adjourned at 9:38 P.M.

James D. Blair
City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, March 12, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
March 12, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, and Schmidt

ABSENT: Councilmember Worthington

The Invocation and Pledge of Allegiance were given by Councilmember Schmidt.

Councilmember Schmidt moved that the minutes for proceedings of February 5, 1990; February 12, 1990; February 19, 1990 and February 26, 1990 be approved as printed.

Carried unanimously; Councilmember Worthington absent

By Councilmember Benavides:

That we suspend the rules to accept the following:

(1) A discharge of the Physical Development Committee Report regarding the Acquisition of Properties on East Main Street: Pennyslvania Avenue to Aurelius Road so that Resolution #XII-4B can be Adopted this Evening

(2) A Resolution to set a Public Hearing Regarding the Demolition of an Office Building Located at 110-112 W. Michigan Avenue for March 19, 1990

Carried unanimously; Councilmember Worthington absent

(Both of these Suspension Items will be covered in the RESOLUTIONS Section of these Proceedings)

PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENTS

Paul Stearns of 921 Whitman, East Lansing, spoke regarding the twelve claims for relief of sidewalk assessments reported by the Committee on General Services. He supports relief for these twelve residents.

SPECIAL CEREMONIES

A presentation was made by Donald Novoch, Coordinator of the Committee for Earth Day 1990, regarding Earth Day plans.

Council President Belen also returned a gavel to the City Clerk in a special ceremony.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Adado that Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously; Councilmember Worthington absent

1. Letter from Carolynne Jarvis of the Michigan Association of Children's Alliances requesting Recognition as a Nonprofit Organization to Obtain a Gaming License

REFERRED TO THE CITY ATTORNEY

2. Letter from Don Hedlund of 1110 E. Main Street, Objecting to an Assessment he received for Trash Pickup

REFERRED TO CITY ATTORNEY AND GENERAL SVCS. COMMITTEE

3. Z-7-90 Petition for Rezoning of 329 W. Saginaw from "C" Residential to "D-1" Professional Office District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. Z-8-90 Petition for Rezoning of 215 West Lapeer and 219 West Lapeer from "DM-3" Residential to "D-1" Professional Office District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

5. SLU-2-90 for 320, 322 and 328 West Lapeer; 608/612, 616/620 North Walnut

REFERRED TO THE MAYOR AND THE PLANNING BOARD

6. Z-6-90 Petition for Rezoning of the East Side of Friendship Circle Between Friendship Manor and Silver Dollar Saloon from "DM-2" District to "D-1" Professional Office District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

7. Letters Received in Opposition to Proposed State of Michigan Changes in Underground Capitol Complex Parking

—Bonnie L. Smith, Department of Transportation
—Betty Hicks, 6263 Marywood Avenue
—Carolyn Raatz, Department of Transportation

REFERRED TO THE MAYOR

8. Letter from Liz Schweitzer, Mayor of East Lansing, Regarding the Need for Cooperation Between Lansing and East Lansing Governmental Units in Supporting a Human Services Network

REFERRED TO THE COMMITTEE OF THE WHOLE

9. Letter from Marsha Warren of 6300 W. Michigan Ave., Apt. 21-H, Objecting to an Assessment Received for Grass Mowing

REFERRED TO THE CITY ATTORNEY

10. Letter from James E. Schmitt of Schmitt Fuel Service located at 2124 S. Cedar Street supporting the removal of the Median on South Pennsylvania Avenue

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

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11. Letter from Brian C. Jeffries, Chair of the Ingham County Board of Commissioners, informing the City of the Creation of a Community Corrections Committee and Requesting City Participation

REFERRED TO THE COMMITTEE OF THE WHOLE

12. Notice Received from the State of Michigan Public Service Commission regarding a Public Hearing Scheduled for 1:30 P.M. on March, 20, 1990 on Michigan Bell Telephone Company's Plan for an Optional Adjacent Exchange Toll Calling Plan

RECEIVED AND PLACED ON FILE

13. Letter from Liz Krebs of Sigma Delta Chi Sorority, requesting Recognition of March 16, 1990 as Freedom of Information Day in Lansing

(SEE LATER RESOLUTION)

14. Letter from John Malia, President of Lansing 2000, informing that the Lansing 2000 Committee has taken no action to support or Reject the YMCA Capital Campaign

RECEIVED AND PLACED ON FILE

15. Letter from Barbara Church of the Garden Club of Greater Lansing regarding some Suggestions for the Parks Department Five Year Plan

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT on agenda items, including late items approved for consideration

Mayor McKane discussed letters 4A and 4C. He expressed thanks to his family, friends, staff, City employees and Council President Belen for their support during his recent hospital stay and recuperation.

Mayor McKane reviewed the status of the concept received from the State of Michigan for purchasing of the Civic Arena. He urged cooperation between the Mayor's Office and City Council in the handling of the review and decision on this concept.

REPORTS OF CITY OFFICERS & BOARDS

1. **Resolution #98**
March 12, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: David Earl Churches II, Mark Thomas Seman, Darth David Weigum

SIGN ERECTOR: Custom Sign Works Plus

BUILDING WRECKER: Rowald Borseth

AUCTIONEER: Steve Reeser Associates

VEHICLES FOR HIRE: Robert Snykay

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Ford:

Resolution by the City Council, City of Lansing, that the recommendations of the City Clerk be approved.

Carried unanimously; Councilmember Worthington absent

2. Notification from the City Clerk that the Proposed Minutes of the March 5, 1990 Council Proceedings are Available for Review

RECEIVED AND PLACED ON FILE

3. **Resolution #99**
Memo from the Building Safety Department to set a Public Hearing for March 26, 1990 for make-safe or demolition of property located at 610 S. Fairview

Motion by Councilmember Lindemann:

That a Public Hearing be set for March 26, 1990.

Carried unanimously; Councilmember Worthington absent

4. Letters from the Mayor re:

A. Michigan State Housing Authority Board Approving a Mortgage Loan of $209,509 for Eighth Street, Located in Lansing, Michigan

RECEIVED AND PLACED ON FILE

B. Recommendation Supporting the Resolution for Acquisition of Properties—East Main Street: Pennsylvania Avenue to Aurelius Road (See Resolution Item #XII-3B)

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

C. Recommendation Supporting the Sale of Property to Implement the Green Oaks Anchor Project (See Resolution Item #XII-3A)

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

COMMITTEE REPORTS

THE COMMITTEE ON GENERAL SERVICES, to whom was referred 12 claims for relief from special assessments for new construction and/or repair of sidewalks,

REPORTS AS FOLLOWS: The Committee reviewed the claims of Deborah Brown, Roxy D. Eaton, Marvin Gladstone, Lisa Guidi and Mark Heilman, Wayne Lemarble, Mary Massoglia, Jon McNeil, David Muylle, Arthur Nussbaum, Annette Parks, Paul Stearns, and Catherine Stuart. All of the claimants purchased their properties after the sidewalk work was done but before the special assessment rolls were confirmed. Therefore, when the claimants attempted to determine if there were any liens on the subject properties, there was no indication of a special assessment pending. By a vote of 2-1, Councilmember Worthington dissenting, the Committee passed a motion to approve the claims as submitted, and to have the City pay these 12 special assessments.

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This matter is hereby referred to the Committee on Ways and Means for further discussion and identification of the appropriate account from which to pay the assessments.

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received and referred to the Ways & Means Committee to make a further determination.

Councilmember Ford stated that he felt all twelve claimants should be notified so they can be in attendance at the Ways & Means Committee meeting.

Councilmember Benavides concurred and stated that the next scheduled meeting of the Ways & Means Committee will be March 20, 1990 at 8:30 A.M.

Councilmember Adado requested clarification by the City Attorney as to whether or not the Ways & Means Committee is only involved for determining the means that these special assessments will be paid or if the item is open for discussion at the meeting. The City Attorney stated that the matter is open for discussion by the Ways & Means Committee.

Carried unanimously with Councilmember Worthington absent to receive the Committee Report and refer it to the Ways & Means Committee.

Z-15-89
3612-3618 West Jolly Road

The Committee On Physical Development

To whom was referred the rezoning petition Z-15-89 at 3612-3618 West Jolly Road to be rezoned from "A" Residential District to "D-1" Professional Office District

reports as follows: that said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

Motion by Councilmember Benavides:

That the Committee report be approved.

Carried unanimously, Councilmember Worthington absent

RESOLUTIONS

Resolution #100
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Youth Development Corporation has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby recognizes Youth Development Corporation as a non-profit organization.

Motion by Councilmember Schmidt.

Carried unanimously, Councilmember Worthington absent

Resolution #101
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Plant Rehabilitation District in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 415 Baker Street, Lansing, Michigan and more fully described on Exhibit A; and

WHEREAS, O'Leary Paint Company has submitted an application for an Industrial Facilities Exemption Certificate for new facilities within said Plant Rehabilitation District; and

WHEREAS, a hearing was held on O'Leary Paint Company's application for an Exemption Certificate on March 5, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, O'Leary Paint Company has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Lansing approves the application from O'Leary Paint Company for an Industrial Facilities Exemption Certificate (IPR-2-90), to remain in effect for a period of twelve (12) years.

Motion by Councilmember Adado:

Carried unanimously; Councilmember Worthington absent

Resolution #102
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Green Oaks Area of the City of Lansing has been the object of rehabilitative efforts by the City and the residents over the past few years, and

WHEREAS, the Green Oaks Development Plan, adopted by Council in 1986, calls for the rehabilitation of housing and the reduction of density through the selective removal of structures, and

WHEREAS, the Green Oaks Rehabilitation Plan includes an "Anchor Project" to rehabilitate 40 units of housing, located at 108 Hosmer (28 units), 117 Hosmer (9 units), 122 Hosmer (2 units), and 129 Hill (1 unit), and

WHEREAS, the "Anchor Project" also required that structures located at 123 South Hosmer, 113 Hill, 117 Hill, and 122/125/127 be acquired and removed in order to provide necessary parking and open space in accord with the intent of the Green Oaks Development Plan, and

WHEREAS, the Mayor, the Green Oaks Target Area Organization and the Green Oaks Reinvestment Corporation support this effort.

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WHEREAS, the City Council of the City of Lansing on October 31, 1988 approved the "Anchor Project", and authorized the City administration to acquire and raze the following parcels of real property as the City's contribution to making the "Anchor Project" happen.

1. 113 Hill Street, legally described as:

The South 2 rods of Lot 2, Block 6, Green Oak Addition, on the Southwest ¼ of Section 15, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan.

2. 117 Hill Street, legally described as:

The West ½ of the North ½ of Lot 3, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan.

3. 123 South Hosmer, legally described as:

The North one-half (B) of Lot No. Eight (8), Block Five (5) of Green Oak Addition to the City of Lansing, Ingham County, Michigan.

4. 123-125-127 Hill Street, legally described as:

West ½ of Lot 4, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 55 of Deeds, Page 522, Ingham County Records.

5. 118 South Hosmer Street, legally described as:

South ½ of Lot 3, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan, and

WHEREAS, the City has acquired and razed the structures on the property required for parking and open space and the Michigan State Housing Development Authority has committed mortgage funds to rehabilitate 37 housing units effected subject to the City's conveyance of the acquired property to the developer,

NOW THEREFORE BE IT RESOLVED that the City administration be and is hereby authorized to convey ownership of the City owned property for a nominal fee as follows:

1. 113 Hill Street, legally described as:

The South 2 rods of Lot 2, Block 6, Green Oak Addition, on the Southwest ¼ of Section 15, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan.

All To: Green Oaks Limited Dividend Housing Association Limited Partnership
For Addition To: 108 South Hosmer

2. 117 Hill Street, legally described as:

The West ½ of the North ½ of Lot 3, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan.

All To: Green Oaks Limited Dividend Housing Association Limited Partnership
For Addition To: 108 South Hosmer

3. 123 South Hosmer, legally described as:

The North one-half (½) of Lot No. Eight (8), Block Five (5) of Green Oak Addition to the City of Lansing, Ingham County, Michigan.

All To: Green Oaks Limited Dividend Housing Association Limited Partnership
For Addition To: 117 South Hosmer

4. 123-125-127 Hill Street, legally described as:

West ½ of Lot 4, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 55 of Deeds, Page 522, Ingham County Records.

South 10' of the West ½ of Lot 4 to: Goodrich & Associates Limited Partners
For Addition To: 129 Hill Street.

Remainder To: Green Oaks Limited Dividend Housing Association Limited Partnership
For Addition To: 108 South Hosmer

5. 118 South Hosmer Street, legally described as:

South ½ of Lot 3, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan.

South 8' of the East ½ of Lot 3 to: Goodrich & Associates Limited Partners
For Addition To: 122 South Hosmer

Remainder To: Green Oaks Limited Dividend Housing Association Limited Partnership
For Addition To: 108 South Hosmer

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Worthington absent

Resolution #103
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, East Main Street from Pennsylvania Avenue to Aurelius Road has been designated to be improved; and

WHEREAS, the Department of Planning and Municipal Development and the Public Service Department met with the Main Street area residents, as well as the Eastside Neighborhood Organization representatives, to collectively determine the improvements necessary to protect and improve the neighborhood and accommodate the necessary traffic movement; and

WHEREAS, on April 24, 1990 the Lansing City Council approved the acquisition and demolition of properties to facilitate this project.

WHEREAS, the City of Lansing has entered into a construction contract to construct this roadway.

WHEREAS, two additional properties must be acquired to facilitate the construction of this roadway along its designed alignment.

BE IT RESOLVED, that the following property be acquired:

—The vacant triangular shaped parcel located at the northwest corner of Parker and Main Streets. This property is also known as tax parcel code number 3301-22-127-012-0

BE IT FURTHER RESOLVED, that the exchange of the city-owned property legally described as:

Commencing at the Southeast corner Lot 47 of Manufacturer's Addition to the City of Lansing, Ingham County, Michigan; thence S89° 39' 23"W, 43.00 feet; thence N00° 51' 29"E, 86.25 feet; thence N65° 32' 01"E, 46.93 feet; thence S00° 51' 29"E, 104.68 feet to the

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point of beginning. (Commonly known as remainder of 1121 E. Main Street, #3301-22-127-021)

for the property legally described as: Commencing at the Northwest corner Lot 48 of Manufacturer's Addition to the City of Lansing, Ingham County, Michigan a subdivision of a part of the North ½ of the Northwest ¼ of Section 22, T4N, R2W, City of Lansing, Ingham County, Michigan; thence N88⁰ 39' 23"E, 27.00 feet; thence S65⁰ 32' 00"W, 29.47 feet; thence N00⁰ 51' 30"W, 11.57 feet to the point of beginning. (Commonly known as a portion of 1125 E. Main Street, #3301-22-127-031)

which is currently owned by Dale and Elaine Ruckel, be and is hearby approved.

AND FURTHER BE IT RESOLVED, that subject to approval of the City Attorney as to the form of the Deed, and certification of Funds by the Controller for purchase of said property, that the City of Lansing accept said Deeds; and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

Motion by Councilmember Benavides to discharge Committee report.

Carried unanimously; Councilmember Worthington absent

Motion by Councilmember Benavides to adopt the Resolution:

Carried unanimously; Councilmember Worthington absent

Resolution #105
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 708 North Walnut 8treet, legally described as:

3301-09-382-061
S 40 ft. of N 47 ft. of W 6 R Lot 6, Block 56, Original Plat

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 12, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Worthington absent

Resolution #104
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2032 Mary Avenue, legally described as:

3301-32-152-151
Lot 72, Pleasant view Sub.

was an unsafe or dangerous building as defined in Section i460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the hearing Officers on January 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 12, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is herehy directed to proceed with demolition of said building; and

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BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently looated: and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Worthington absent

Resolution #106
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1329 Roosevelt Avenue, legally described as:

3301-08-281-221
Lot 235 and S 7 ft. Lot 234 Knollwood Park

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe: and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within forty-five (45) days from the date of this resolution March 12, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Worthington absent

Resolution #107
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1225 Larned Street, legally described as:

3301-15-381-081
Lot 18, Blook 8, Lansing Improvement Company's Add.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 1990 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 12, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same

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within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Worthington absent

Resolution #108
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 923 West Ionia Street, legally desoribed as:

3301-17-278-271
E 59.5 ft of W 1/3 Lot I, Block 8, Claypool Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe: and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan: and

WHEREAS, the City Council scheduled a hearing on March 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 12, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety oivision is hereby direcred to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Worthington absent

Resolution #109
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1820 Perkins Street, legally described as:

3301-22-283-261
W 33 ft. Lot 63, City Park Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan: and

WHEREAS, the City Council scheduled a hearing on March 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 12, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building: and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located: and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Worthington absent

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Resolution #110
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED, the City Council of Lansing hereby waives the parking fees associated with the 10th Annual Human Relations Dinner to be held at the Lansing Center on Tuesday, March 13, 1990.

Motion by Councilmember Benavides that we amend the Resolution to remove "waives" and add the word "pays" to clarify the Resolution.

Carried unanimously; Councilmember Worthington absent

Motion by Councilmember Benavides to adopt the Resolution:

Carried unanimously; Councilmember Worthington absent

Resolution #111
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Freedom of Information Act #442 was adopted and became effective April 12, 1977, to ensure that all citizens are entitled to obtain and request information from their elected officials; and

WHEREAS, the Lansing City Council concurs in the belief that all individuals have access to information under the Freedom of Information Act #442; and

WHEREAS, it is Council's responsibility to promote public awareness in this community and to enlighten its citizens of their First Amendment Rights;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby designates March 16, 1990, as Freedom of Information Day in Lansing in celebration of the First Amendment; and

BE IT FURTHER RESOLVED, that the Lansing community and its officials recognizes, now and in the future, the magnitude of this very important privilege.

Motion by Councilmember Adado:

Carried unanimously; Councilmember Worthington absent

Resolution #112
By: Council President Belen

WHEREAS: Adamo Demolition Company, Inc., is requesting a "Temporary Permit" for night demolition of the Jury Rowe Building located at 110-112 West Michigan Avenue; and

WHEREAS: In the interst of public safety it is recommended by the Building Safety Director that a Temporary Permit be issued; and

WHEREAS: Chapter 654 "Noise" requires a public hearing before a Temporary Permit may be issued; and

WHEREAS: After the public hearing and upon the recommendation of the Mayor and approval by an affirmative vote of two-thirds of the Members of Council, a permit for relief from any of the restrictions or noise level requirements of this Chapter maybe granted.

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing regarding the demolition of an office building located at 110-112 W. Michigan between the hours of 8:00 p.m. and 7:00 a.m. is hereby set for March 19, 1990, at 7:00 p.m.

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Worthington absent

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Benavides:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-15-89—3612 and 3618 West Jolly Road to be rezoned from "A" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER Benavides:

That this be considered as being read in its entirety.

Carried., with Councilmember Worthington absent

BY COUNCILMEMBER Benavides

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansinq, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-15-89—3612 and 3618 West Jolly Road to be rezoned from "A" Residential District to "D-1" Professional Office District be now passed.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmitt

NAYS: None

ABSENT: Worthington

ORDINANCE #2311
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.
The City of Lansing ordains:
Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-15-89, 3612 and 3618 West Jolly Road
Parcel Numbers: 3301-31-351-081 and 091

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Legal Description: That part of the southwest ¼ Section 31, T4N, R2W, City of Lansing, Ingham County, Michigan beginning on the section line at a point west 2000.1 feet from the south ¼ post of said Sec. 31; thence north 275.0 feet at right angle; thence west 45.94 feet parallel with section line to south-easterly ROW line of abandoned NYC RR; thence southwesterly 362.1 feet on said ROW line to section line; thence east 283.85 feet to point of beginning. (3618 West Jolly Road) Also commencing south line Sec 31 1868.1 feet west of south ¼ post; thence north 275 feet, west 132 feet, south 275 feet, east 132 feet to beginning, Sec 31, T4N, R2W, City of Lansing, Ingham County, Michigan. (3612 West Jolly Road)

From "A" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

Late items were handled in the Resolutions Section of these Proceedings.

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Benavides that Councilmember Worthington be excused from this regular session of the City Council.

Carried unanimously

PUBLIC COMMENTS

Mohammed Frank Curtis spoke regarding the good job being done by City Attorney Al Knot and Councilmember Ford.

Russell Greear of 1517-½ Bailey spoke in disapproval of the proposed sale of the Civic Arena and stated that he felt this was being done without notification to the public.

George Potter of 1619 S. Pennsylvania spoke in opposition to the removal of the median on S. Pennsylvania and submitted a survey conducted of thirty residents of the area also opposing the removal of the median.

Charles Jurasek of 3200 Reo Road spoke in opposition to the proposed sale of the Civic Arena. He felt that some of the senior citizen groups such as Senior Power might not have a place to meet if the Arena is sold.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd stated that he was happy to have the Mayor back at work. He mentioned that Rosemarie Kozenko, Secretary to the Mayor, suffered a loss this morning when her mother passed away. He also extended good wishes to Earlene Neal of the Elected Officials Compensation Commission who is recovering from surgery.

REMARKS BY COUNCILMEMBERS

Councilmember Adado offered congratulations to the Michigan State University basketball and hockey teams for their successes over the week-end. He stated that he felt that Councilmembers should have received a briefing regarding the concept for the Civic Arena which was received from the State of Michigan.

Councilmember Benavides requested permission to add a suspension item which he had just received. The item was a letter from concerned residents of Eaton Court regarding potholes in their roads. With no motion, Council President Belen referred this letter to the Mayor and the Public Service Board.

Councilmember Ford mentioned a meeting held this past week-end at Vivian Riddle School. Many residents of the area were in attendance and the meeting was held to discuss drug activity concerns in the area.

Councilmember Ford expressed his thanks for the attendance of so many residents at this meeting as well as the attendance of City Attorney Al Knot and Lansing Police Department Lieutenance Jim Rapp.

Councilmember Schmidt stated that she has assembled an information packet on the building of the Civic Arena that she would be happy to provide to anyone interested. She also requested that the City Clerk give her a copy of the petition received from George Potter this evening.

COUNCIL PRESIDENT BELEN:

Council adjourned at 8:38 P.M.

James D. Blair
City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, March 19, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
March 19, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were given by Councilmember Worthington.

There were no printed Council Proceedings to be approved.

By Councilmember Ford:

That we suspend the rules to accept the following:

(1) A request for a Public Hearing for March 26, 1990 on DNR Grant Applications

(2) To set a Public Hearing for Mayor's Letter 4G regarding Sidewalk Assessment Roll B-30

Carried unanimously; Councilmember Adado Absent.

PUBLIC HEARINGS

March 19, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing requested by Adamo Demolition Company for requested relief from noise level restrictions imposed by Chapter 654 of the Code of Ordinances.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the requested relief from noise level restrictions, they would have the privilege of speaking at this time.

There were no public speakers on this issue.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENTS

There were no public comments made.

SPECIAL CEREMONIES

Mr. Boyd presented the Distinguished Budget Presentation Award received by the City of Lansing from the U. S. Government Finances Office Association to Jan Lazar, City Budget Director.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford that Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Counci President.

Carried unanimously; Councilmember Adado Absent.

1. Brochure received from Grand Valley State University regarding an "Ethics in Government" Workshop Scheduled for March 30-31, 1990

RECEIVED AND PLACED ON FILE

2. Claim Received from William J. Joseph of 518 S. Fairview Protesting the Sidewalk Assessment he Received

REFERRED TO THE CITY ATTORNEY

3. Letter from Thomas B. Mulder, President of Geert D. Mulder & Sons, Inc., requesting approval of Preliminary Plat of Lancen Village South Number 5 Subdivision

REFERRED TO THE MAYOR AND THE PLANNING BOARD

4. Letter from Robert Addy, Administrator for the State Department of Transportation, Bureau of Aeronautics, Notifying the City that a Finding of No Significant Impact was received on an Environmental Assessment to Acquire and Remove the State Hangar Building. Located in Approach 10R

RECEIVED AND PLACED ON FILE

5. Letter from the State Department of Natural Resources regarding the City's Request for a Permit to Construct a Pedestrian/Bike Path in the Crego Park Area

RECEIVED AND PLACED ON FILE

6. Letter from Julie Hershberger of 531 E. Kittle thanking Councilmember Adado for his stand against Pornography

RECEIVED AND PLACED ON FILE

7. Letter from Jack Brown of 2710 W. Miller Road Proposing Changes to the Sabin Gravel Pit Area

REFERRED TO THE MAYOR

8. Letter from Brian C. Jeffries, Chairperson of the Ingham County Board of Commissioners inviting City Council members to attend a Meeting on the Formation of a Local Community Corrections Advisory Board on March 22, 1990

Councilmember Ford mentioned that he and Councilmember Crawford will be in attendance at this meeting.

RECEIVED AND PLACED ON FILE

9. Letter from Priscilla Holmes of the South Central Neighborhood Organization Proposing a Revision to the Master Plan for Paint Blitz '90

REFERRED TO THE MAYOR AND THE PLANNING BOARD

10. Claim Received from Robert Rigelman of 639 North Clemens Street Involving a Sidewalk Assessment

REFERRED TO THE CITY ATTORNEY AND THE GENERAL SERVICES COMMITTEE

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MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT on agenda items, including late items approved for consideration

Mayor McKane commented on letters 4B, 4C, and 4D relating to the resignations of Bruce McComb, Duncan Wyeth, and Wilbur Myers. He expressed his thanks to these men for their dedicated service.

The Mayor also commented on letter 4H which covers some new owners recommended for the sale of urban homesteading properties.

REPORTS OF CITY OFFICERS AND BOARDS

Resolution #113
March 19, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. There are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Harold A. Wrightman, Daniel Amos Brooks

BUILDING WRECKER: Cadwell Brothers Construction Co., Joe Raica Excavating, Inc.

AUCTIONEER: Lynnwood D. Sattler, Benjamin J. Gordon

SIGN ERECTOR: Jan Signs, Inc., Sign Art, Inc., Reid Iron & Metal & Demo, Port City Neon Sign Co.,Inc.

SECOND HAND DEALER: James W. Barnard, Clyde Serges Drake

WRECKER SERVICE: Pop's Towing

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

To Accept the Recommendation of the City Clerk.

Carried unanimously; Councilmember Adado Absent

2. Notification from the City Clerk that the Proposed Minutes of the March 12, 1990 Council Proceedings are Available for Review

RECEIVED AND PLACED ON FILE

3. Letter from the City Clerk Notifying the Mayor and the City Council of Board Appointments Which Expire In June, 1990

REFERRED TO THE MAYOR

4. Letters from the Mayor re:

a. Emergency Purchase Order #R01381 issued to Akzo Salt, Inc.. in the amount of $14,880.00

REFERRED TO THE WAYS AND MEANS COMMITTEE

b. Resignation of Bruce E. McComb from the Board of Water and Light

RECEIVED AND PLACED ON FILE

c. Resignation of Duncan O. Wyeth from the Human Relations Board

RECEIVED AND PLACED ON FILE

d. Resignation of Wilbur J. Myers from the Senior Citizens Advisory Board

RECEIVED AND PLACED ON FILE

e. Traffic Board Meeting Cancellation

RECEIVED AND PLACED ON FILE

f. SLU-1-90 —1320 North Grand River Avenue

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

g. **Resolution #114**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council ordered on the dates listed below, public improvements in the form of sidewalk repairs or construction be made pursuant to Public Service Contracts in the front of and adjacent to properties located on the streets in the City of Lansing;

WHEREAS, the sidewalk construction and repairs under said public improvement contracts where commenced on or about the date listed below and completed on the date as listed in accordance with the special assessment ordinances for sidewalk improvements; and

CONTRACT # PS26049
ROLL B-30
RESOLUTION DATE 3/07/88
CONSTRUCTION START 5/16/88
DATES COMPLETE 9/15/88

WHEREAS, the City Assessor has prepared the assessment roll for each property to be assessed for said sidewalk construction and repair improvement and has caused said assessment rolls to be placed on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, April 9, 1990, at 7:00 p.m., in the City Council Chambers, 10th floor, City Hall, Lansing, Michigan, to review, prior to confirmation, said special assessment rolls for sidewalk construction and repairs.

BE IT FURTHER RESOLVED that the City Clerk is hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1) of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin board located on the First Floor of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner, respectively, for each of the properties adjacent to or in front of which such sidewalk improvement was made. Copies of said rolls shall be available in the City Assessor's Office, Third Floor of City Hall, and the Public Service Department, Seventh Floor of City Hall for review.

BE IT FINALLY RESOLVED, that pursuant to the requirment of 1962 PA 162, as amended, MCL 211.741, et seq., MSA 5.3534(1),

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et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Motion by Councilmember Worthington to amend resolution changing the date for the Public Hearing to April 9, 1990.

Carried unanimously; Councilmember Adado absent

Motion by Councilmember Worthington to adopt the resolution:

Carried unanimously; Councilmember Adado absent

h. Sale of Urban Homesteading Properties at 1421 Lansing Avenue and 810 Cross Street

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

i. Transfer of Funds

REFERRED TO THE WAYS AND MEANS COMMITTEE

COMMITTEE REPORTS

There were no Committee Reports submitted.

RESOLUTIONS

Resolution #115
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sergeant Patrick Wilson filed a claim against the City for $134.90; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Sgt. Wilson appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence that supported his claim; and

WHEREAS, based on Sgt. Wilson's testimony and evidence, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Sgt. Patrick Wilson in the amount of $134.90; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

Motion by Councilmember Schmidt:

Carried unanimously; Councilmember Adado Absent

Resolution #116
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Matthew S. Bassar has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant had been convicted of a felony or one or more sex-related misdemeanors within five years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (6) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Matthew Bassar for a public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the City Clerk shall notify the applicant of the Council's findings and conclusion.

Motion by Councilmember Schmidt:

Carried unanimously; Councilmember Adado Absent

Resolution #117
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Roger Tate has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant's driver's license had been suspended or revoked within two years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) D of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Roger Tate for a public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the

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City Clerk shall notify the applicant of the Council's findings and conclusion.

Motion by Councilmember Schmidt:

Carried unanimously; Councilmember Adado Absent

Resolution #118
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William Bell has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant's driver's license had been suspended or revoked within two years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) D of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances are not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Mr. William Bell.

Motion by Councilmember Schmidt:

Carried unanimously; Councilmember Adado Absent

Resolution #119
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Association of Children's Alliances has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Michigan Association of Children's Alliances as a non-profit organization.

Motion by Councilmember Schmidt:

Carried unanimously; Councilmember Adado Absent

Resolution #120
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$104,000.00 from Pub. Ser. 1987 Trans.—Sidewalk Replacement
A/C 403 933601 974100 42201
104,000.00 to Pub. Ser. 1987 Trans.—Local Street Resurfacing
A/C 403 933601 974100 42101
(Fund cost estimate for spring 1990 Local Street Improvements to include: Fernwood (Kipling to Howard), Kipling (Michigan to Saginaw), LaSalle (Saginaw to End.) Remainder to be funded from Local Street Improvements residuals ($308,862)

$664,000 from Fund Balance-1987 Trans.
A/C 403 000000 390001 00000
664,000.00 to Pub. Ser. 1987 Trans.—Construction
A/C 403 933601 974100 42501
(Funding for 1990 construction to include Jolly (Pennsylvania to Aurelius), Aurelius (I-96 to W. Willoughby), Cavanaugh (Cedar to Logan). Estimated balance of funding requirement to come from MDOT grant reimbursement, removal of existing fund restriction ($309,219) and existing residuals. (See referred list of project changes).

$300,000.00 from Pub. Ser.-Parking-Fund Bal.
A/C 585 000000 395001 00000
300,000.00 to Pub. Ser.-Parking System Fund-Cont. Acct.
A/C 585 453642 992200 00000
(Additional major maintenance funding for S. Grand Ramp. Engineer's estimate is $745,883. Remainder from construction contingency and residual in N. Capitol account. (Memo acct. 585-571-451-931.01)

Submitted By:
Jan Lazar, Director of Budget
and Management

I hereby certify that funds are available.

Stephen W. Duarte
Director of Finance/City Controller

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Adado Absent

Resolution #121
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Adamo Wrecking Company has requested the issuance of a special permit so that demolition of the Jury Rowe Building at 110-112 West Michigan Avenue can occur during evening and weekend hours; and

WHEREAS, the Department of Planning and Municipal Development and the Public Service Department have recommended issuance of the special permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby finds that:

1. The activity, operation and noise source will be of temporary duration and cannot be done in a manner that would comply with the other requirements of Chapter 654 of the Lansing Code of Ordinances;

2. No other reasonable alternative is available to the applicant; and

3. The noise created will not unreasonably damage or endanger the health, safety or welfare of the public; and

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BE IT FINALLY RESOLVED the Mayor is authorized to issue a special permit exempting Adamo Wrecking Company from Chapter 654 of the City Code for the purpose of the demolition of the Jury Rowe Building during evening and weekend hours, for a period not to exceed 30 days from date of issuance.

Motion by Councilmember Benavides to accept the Substitute Resolution:

Carried unanimously; Councilmember Adado Absent

Motion by Councilmember Benavides to adopt the substitute Resolution:

Carried unanimously; Councilmember Adado Absent

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by amending Chapter 860, Section 860.04 for the purpose of eliminating the requirement of a penal bond for shows held at the Lansing Convention/Exhibition Hall and or/the Lansing Civic Arena.

was introduced by Councilmember Benavides: read a first and second time by its title.

Resolution #122
SETTING OF A PUBLIC HEARING

Motion by Councilmember Benavides:

To set a Public Hearing for Monday, April 2, 1990, at 7:00 P.M. in Council Chambers, 10th Floor, City Hall for the purpose of Reviewing the Proposed Amending of Chapter 860, Section 860.04 to eliminate the requirement of a penal bond for shows held at the Lansing Convention/Exhibition Hall and/or the Lansing Civic Arena.

YEAS: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, and Worthington

NAYS: None

ABSENT: Councilmember Adado

Resolution #123
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: March 19, 1990
SUBJ: Request for Public Hearing regarding DNR Grant Applications

The attached request for public hearing is being submitted with my concurrence for your review and appropriate action.

Motion by Councilmember Ford:

Resolved by the City Council City of Lansing:

To set a Public Hearing for March 26, 1990 regarding DNR Grant Applications

Carried unanimously; Councilmember Adado Absent

ORDINANCES FOR PASSAGE

There were no Ordinances up for Passage.

CONSIDERATION OF LATE ITEMS

(1) A request for a Public Hearing for March 26, 1990 on DNR Grant Applications

Handled as Resolution #123

(2) To set a Public Hearing for Mayor's Letter 4G regarding Sidewalk Assessment Roll B-30

Handled as Resolution #114

MOTION OF EXCUSED ABSENCE

Councilmember Worthington moved that Councilmember Adado be excused from this session of Council.

Carried unanimously.

PUBLIC COMMENTS

Andy Kuebler of 824 Comfort Street stated that he felt the public should receive better notification of hearings such as the one held on the police horse patrols. He is not in favor of the elimination of these patrols.

Muhammed Frank Curtis stated that he does not support City Attorney Knot's position that the City is not liable to pay for damage done to property of City employees in the course of their work.

Thomas Washington of 1129 Shelter Lane, Executive Director of the United Conservation Clubs, extended thanks to the Council for passing of the resolution providing relief from noise restrictions during demolition at the Jury Rowe Building. The United Conservation Club is the owner of this building and Mr. Washington discussed plans for rennovation of the building.

Russell Greear of 1517-½ Bailey spoke in opposition to the work being done on the Jury Rowe Building. He stated that he wants downtown Lansing to stay the same as it is today.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd discussed the fact that the sidewalk in front of the Jury Rowe Building may be obstructed at times during the construction and he wanted everyone to be aware of this fact. He also mentioned that access to the basement parking at City Hall may at times also be obstructed.

Mr. Boyd also mentioned that Earlene Neal is still in St. Lawrence Hospital and that he wished to extend wishes for her recovery.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt mentioned the recent donation by Lansing Township to the R. E. Olds Museum. This donation was the last totally Lansing-built fire truck.

Councilmember Benavides stated that he has received numerous calls from residents of the Mary Street area near Pleasant Grove and Jolly Roads regarding a series of breaking and enterings in this area. He asked the administration to request additional Lansing Police Department support for this area.

Councilmember Ford stated that he had recently experienced a breaking and entering at his home and wished to extend his thanks to the Lansing Police Department for their quick response in the

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handling of this matter.

BY COUNCIL PRESIDENT BELEN:

Council adjourned at 8:00 P.M.

James D. Blair
City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, March 26, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
March 26, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation was given by Councilmember Ford.

A Flag Ceremony & Pledge of Allegiance was given by Boy Scout Troup #190; Scoutmaster Dan Ferguson; sponsored by the Holt Latter Day Church.

Motion by Councilmember Schmidt: to accept the printed Council Proceedings for March 5, 1990 and March 12, 1990.

Carried unanimously.

By Councilmember Ford:

That we suspend the rules to accept the following:

1. To allow Howard Wolpe, Third District Member of Congress, to address the Council after the Public Hearings.

2. To accept a petition received from the River Forest Neighborhood Association complaining about the noise and appearance of refrigerated railroad cars in their neighborhood.

3. An Ordinance received from the City of Kalamazoo outlawing loitering in known drug areas.

4. A letter from the Eaton County Board of Commissioners presenting the Eaton County 641 Solid Waste Management Plan.

5. A resolution offered by Councilmember Worthington to support the philanthropic goals of the "Save the Children" relay race scheduled for May 6, 1990.

6. A resolution offered by Councilmember Lindemann to provide authority to apply for a grant from the Michigan Natural Resources Trust Fund and commit to undertake the project for which grant funding is awarded (for renovations to Fenner Arboretum and Nature Center).

7. A resolution offered by Councilmember Lindemann to provide authority to apply for a grant from the Recreation Bond Fund and commit to undertake the project for which grant funding is awarded (for construction of a new restroom/concession building at Potter Park Zoo).

8. A resolution offered by Councilmember Lindemann to provide authority to apply for a grant from the Michigan Natural Resources Trust Fund and commit to undertake the project for which grant funding is awarded (for the connection of the River Trail between E. Grand River and Turner-Dodge House).

Carried unanimously to accept these late items.

PUBLIC HEARINGS

1. March 29, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on Amending the Code of Ordinances by adding Sections 1063.01, 1063.02, 1063.03 and 1063.04 for the purpose of creating an advisory board entitled "Environmental Advisory Board".

The Council President announced that if there was anyone present who had any suggestions or objections to make to the requested amendment to the Code of Ordinances, they would have the privilege of speaking at this time.

Carol Rall of 1608 W. Shiawassee spoke in support of the Environmental Advisory Board.

Sue Eby of 130 Island also spoke in support of the Board.

Toni Glasscoe of 2408 Champion Way, a member of the Public Services Board, requested information on the purpose of this Board and other clarifications. President Belen suggested that she attend the meeting of the Physical Development Committtee to receive the needed information.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

2. March 29, 1990 at 7:00 o,clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolish for property located at 610 S. Fairview Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the requested make-safe or demolish for this property, they would have the privilege of speaking at this time.

Donald Harding of 2480 Winchester Drive in Muskegon stated that he has already torn down the building in question.

3. March 29, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on Z-1-90 910 South Holmes Street to be Rezoned from "F" Commercial District to "B" Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the requested rezoning, they would have the privilege of speaking at this time.

There were no speakers for this Public Hearing.

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

4. March 29, 1990 at 7:00 o'clock P.M. in the City Council

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Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on Applications for the State of Michigan Recreation Bond Fund and Michigan Natural Resources Trust Fund.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the requested applications, they would have the privilege of speaking at this time.

Carol Webster of the Potter Park Zoo asked support of the Council for the grant being requested for a restroom/concession building at the Zoo.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

PUBLIC COMMENTS

Paul Stearns of 921 Whitman reviewed his appeal of his sidewalk assessment which is being handled by a resolution this evening.

Howard Wolpe addressed the Council at this time under the Suspension of Rules. He explained the reasons for the imbalance in the percentage of federal funds being spent in Michigan as opposed to federal taxes being collected in Michigan. He said that the primary reason for this is the large amount of federal dollars being spent on defense and that Michigan does not have a large number of defense contractors. He urged the Council and all Michigan citizens to obtain grass roots support in order to gain items they desire in the federal budget.

SPECIAL CEREMONIES

Mayor, Terry J. McKane presented his Recommended Budget for FY '90-91.

Council President Belen and Council Members
l0th Floor, City Hall
Lansing, MI 48933

Dear Council President Belen and Council Members:

In presenting my 9th annual recommended budget, I move forward into my third term as Lansing's Mayor. The challenges that face us as a city are formidable. Uncertainty about a major employment component of our local economy—the auto sector—is clouding local economic forecasts. The effects of the 1990 census will have far-reaching effects on the revenues that flow to Michigan, and, most particularly, those revenues shared with the City by the State of Michigan. Weaknesses in the national economy are keeping interest rates high and constraining growth.

In spite of these external factors, we must continue to make aggressive inroads on the problems that Lansing, like all older central cities, must address. The need for safe, affordable housing, drug interdiction efforts, and regional solutions to such issues as recycling and waste management are top priorities. I propose to address those priorities with innovative solutions, but while maintaining the same operating property tax rate.

My proposed $76.4 million General Fund budget moves forward into the issues of the 90's while continuing our commitments already made to:

Our Children
Continuation of the in-school drug education and safety program by specially trained officers in our Police Department.

Expansion of the highly-acclaimed "Learn Not to Burn" program to additional grades in our elementary schools.

Continuation of the special focus on underprivileged youngsters or youth at risk through our support to the Black Child and Family Institute, the Boys and Girls Club, Cristo Rey, other day care programs, and child abuse prevention, to name just a few programs we support.

Recreational programming for youngsters and older youth that provides the opportunities to play and learn in a safe, supervised environment.

Our Neighborhoods
The addition of two more Code Compliance Officers to assist in assuring that rental housing is maintained up to code and that slumlords know that Lansing is no place to operate.

Expanded efforts to maintain, preserve and restore the low and moderate income housing essential to our community's viability as a good place to live. Particular efforts through a housing survey and homeless survey tied to the 1990 census will help pinpoint the needs and assist in outlining a course for the 1990's.

Continuation of support to Neighborhood Alliance, Neighborhood Watch, and the invaluable community participation in keeping Lansing a stable and desirable place to live, work, and raise families.

Our Environment
Creation of a Recycling Coordinator position to reflect our commitment to preserving our natural resources and reducing the inundation of our land with trash. Initiation of a separate leaf pickup program which will remove leaves from the waste stream clogging landfills, and instead begins the efforts of turning this natural resource into a usable product —compost—that will put the resources back into use instead of wasting them.

Continuation of cleanup of sites contaminated by materials now known to be hazardous, removal of asbestos from our public buildings, and restoration of those lands and buildings to a safe and usable condition.

As we go into a new budget and a new decade, we must address the need to preserve our community and the need to harness change to help in that preservation, as well as meet new challenges. The difficult choices that confront us as individuals and as a community demand a long-range perspective. We cannot solve all our problems, let alone meet all our desires, in any one year. We must work both within our community and with our regional neighbors to combat drug use, to improve our criminal justice delivery, to help the homeless, the hungry, the abused, and those who require special assistance to enjoy a decent quality of life.

To this end, I am recommending funding for rape counseling services that will be available in coordination with our police services.

I am recommending the addition of a third R.E.A.C.H. team through the commitment of local drug forfeiture funds and an anticipated grant to help support this additional team. The scourge of drug dealers in our communities, as I said in my State of the City Message, must be fought aggressively. But the fight is not just a

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local fight. We must marshall the will and the resources of local, state, and federal governments. We are not an island; what happens around us crosses our boundaries. We need the schools, the surrounding communities, and the State to join with us or we will merely slow the pestilence's spread. Only the combined commitment can stop it.

But the need for concerted action does not preclude new initiatives within our own boundaries. I believe the expansion of a visible community police presence will keep the message loud and clear. Drugs and other criminal activities won't be tolerated. To extend our police presence in the community, I am proposing that the old fire station at the corner of Jenison and Saginaw be converted to a community police center. This will allow the housing of a police unit in a neighborhood without significant capital costs and without disruption to the neighborhood, since it will utilize an existing facility.

The fire suppression staff and equipment will be relocated. However, the Fire Chief has assured me that such a redeployment will not adversely affect fire response time in that area due to currently-existing overlapping response districts.

If this initial community police center is as successful as I anticipate, I will be proposing similar low-cost realignments to match our service delivery capabilities to our neighborhood needs without the necessity of raising taxes and adding more positions to staff them. We can make innovations if we are flexible in our approaches. Our base is a set of blocks to build from, not the Rock of Gibraltar to which we must add. The blocks can be moved to build more viable approaches to today's needs and tomorrow's.

Technology

I also maintain my strong commitment in utilizing technology to improve efficiency and enhance our services. My budget includes:

A new mainframe computer for the Police Department to enable them to have more complete and more rapid access to all the information they need to fight crime.

New computer software in the District Court to speed processing and allow more comprehensive followup to make sure offenders are dealt with in a timely fashion and fines are collected.

Funding for additional personal computers to assist numerous City operations to automate and speed their processing, thus improving service and cutting down on delays and labor-intensive operations.

Economic Outlook

The economic outlook for Lansing and for Michigan is, as I alluded to earlier, somewhat uncertain. Michigan continues to have the highest unemployment rate of the industrialized states, and shows even greater volatility when auto cuts occur, as they did in January of this year when Lansing's unemployment rate reached 9.9%. That rate eased in February and hopes for the future are for stabilization. But we cannot ignore those who continue to be unemployed or underemployed. We must continue our efforts to help create good jobs that provide a reasonable quality of life.

The Finance Director has projected only a slight increase of 3% in overall revenues from the current year's revised estimates. We have seen a slowing of building permits, Court revenues, reimbursements for services, and contributions from other funds. We have benefited from increased investment income and higher State Shared Revenues. The overall impact has been to provide small, but stable, revenue growth. However, the census impact cannot be judged until next year, and its retroactive impacts could be negative in Lansing. We must work to see that everyone is counted in the census if we want to see our fair share of revenues in the next decade.

We continue to take affirmative steps to control our economic future. We plan and yet are flexible in our approaches. I am committed to continuing those efforts with your cooperation and support. Only in that way can we continue to provide the required and essential services without fiscal disaster or ruinous taxes.

Budget and Tax Rate

My proposed General Fund budget of $76,417,094 includes $74,962,094 for operations, $1,155,000 for capital improvements, and $300,000 for unbudgeted contingencies. To support this budget, I am proposing continuation for the third year of the current property tax levy of 13.40 mils for operations. Additionally, the debt service levy, including that for the voter-approved environmental bonds, will be 2.04 mils, for a total levy of 15.44 mils.

Fees

As most of you already know, landfill costs will be rising 35-50% in July. I am implementing recycling efforts to help contain the impacts of that cost and other externally-generated costs on our solid waste program. However, those costs will force an increase in the bag and bulk rates. We do not control the landfills, and we cannot avoid the costs forced on us by federal and state regulatory requirements. Our only alternative to having system users pay these costs is to have property taxpayers bear them in the form of higher property taxes. I am committed not to raise those property taxes unless there is a vote of the people. I therefore must recommend that user fees for orange bags be increased by 25 cents per bag, and that bulk stickers pay the increased landfill costs and be raised $4 each. It is my hope that our recycling efforts and new leaf program will reduce the number of bags a household will use, and thus help to alleviate the burden of the increased price per bag.

The User Fee study currently being performed by David Griffith and Associates will be completed this spring. I hope that we can begin to more adequately recover fees from those who make money from their activities, those who are being charged for the cost of enforcement, and those who utilize discretionary services rather than continue to have those costs partially or fully borne by property taxpayers. We must decrease our reliance on property taxes and connect the cost to the user more realistically if we hope to maintain affordable owner-occupied housing.

The Future

This budget is not a panacea for all the needs and problems that face Lansing. Our future as a community is in our hands. We must address needs for safe, affordable housing, needs of the poor and underprivileged, and the critical need to protect our environment. Yet even with all these needs, we must still find ways to maintain our infrastructure. Our roads, buildings, equipment, and sewers all need major capital commitments. Those commitments are too great to be funded from our annual operating budget. We will have to continue our comprehensive planning and resource management efforts to put forth financing packages, including bond issues,

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which will help address these issues. During the course of the upcoming budget year, I will be addressing more of these issues and making further specific proposals.

We are moving forward. We are revitalizing our community and we are facing the challenges of the 90's. I seek your cooperation in working with me to achieve the best community we can.

Yours truly,
Terry J. McKane
Mayor

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

1. Letter from Jack D. Gunther of 211 Black Court supporting the removal of the median on South Pennsylvania

REFERRED TO THE MAYOR

2. Letter from Sarah W. Eubanks, Interim Executive Director of the Michigan Municipal Bond Authority notifying the City of Lansing of a series of Public Finance Forums to be held in the State

REFERRED TO THE MAYOR

3. Memo from the Supervisors Unit, Lodge 141 of the Fraternal Order of Police, contesting the lowering of the educational standards for the position of Deputy Chief, Lansing Police Department

REFERRED TO GENERAL SERVICES COMMITTEE AND THE MAYOR

4. Letter from Vicki Wozniak, Investigator with the Michigan Department of Commerce notifying the City that Capitol Catering, Inc. would like to amend their request to Reflect an Entertainment Permit with a Class C License

REFERRED TO THE CITY CLERK

5. Letter from Howard Wolpe, Member of Congress from the Third District, thanking President Belen for her support of H. R. 2140, the Consumer Telecommunications Services Act of 1989

RECEIVED AND PLACED ON FILE

6. Letter from Wayne A. Werner of Grand River Bait and Tackle at 1201 Turner Street expressing his support for the Lansing Park Police Horse Patrol

REFERRED TO PUBLIC SAFETY COMMITTEE

7. Letter from Jean Barber of Apt #820 Riverfront Towers, 601 N. Cedar Street expressing her support for the Horse Patrol

REFERRED TO PUBLIC SAFETY COMMITTEE

8. Letter from Michael and Eveon Brown of 3015 South Hosmer objecting to sidewalk assessment work done before they owned the property

REFERRED TO THE CITY ATTORNEY

MAYOR OR EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mayor McKane reviewed letter 3J covering Spring Construction Contracts. These contracts involve (a) Miller Road Intersection Improvements; (b) Cavanaugh Road Bridge over the Sycamore Creek; (c) Fernwood-Homewood Sewer Repair; (d) East Main Street Construction and (e) Major Street Construction involving the reconstruction and/or resurfacing of sections of Pennsylvania Avenue.

REPORTS OF CITY OFFICERS AND BOARDS

1. A.
Resolution #124
March 26, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. There are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Harold William Halstead, Paul Allen Hurrell, Matthew Alan Carter, Mark Thomas Greko

BUILDING WRECKER: Rumsey & Sons Construction, Inc.

AUCTIONEER: Steven Rosen, William Smith, Gary Turla

SIGN ERECTOR: Earl Daup Signs, Ltd., Canvasback Sewn Products Corp.

SECOND HAND DEALER: Mary A. Barrick

WRECKER SERVICE: Ronald J. Waliborski

MASSAGE THERAPIST: Judith Ann Perkins

MECHANICAL AMUSEMENT: Golden Gate Restaurant, Fraternal Order of Eagles

RUBBISH HAULER: Kenneth, Waterhouse, J. C.'s Refuse Service, Inc.

VEHICLES FOR HIRE: Great American Limousine Service

TRANSFER OF SDD & SDM LICENSE: From In Ski Kim to Samara, Inc.

TRANSFER OF LOCATION SUBJECT TO FINAL INSPECTION OF BLDG.
TAVERN LICENSE: Scofes Restaurant

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Adado:

Resolution by the City Council, City of Lansing, that the recommendations of the City Clerk be approved.

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Carried unanimously

1.B.
March 26, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

Attached herewith are applications for Public Drivers Licenses returned unsigned from the Lansing Police Department for:

Mark Stevens Richter under Section 872.23 (b) B
Charles Andrew Wilkinson under Section 872.23 (b) B
Jeffrey Michael Pratt under Section 872.23 (b) B
Daniel Leon Singles under Section 872.23 (b) (3) (d)

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

REFERRED TO THE CITY ATTORNEY

2. Letter from the City Clerk Notifying Councilmembers of the availability of Minutes from the Council Proceedings of March 19, 1990 for Review

RECEIVED AND PLACED ON FILE

3. Letters from the Mayor re:

A. Mayor's Recommended Budget for FY 1990-1991

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. Downtown Mall Advisory Board Recommendation to Expand Vending Sites

REFERRED TO THE PUBLIC SERVICES COMMITTEE

C. Pending Special Assessments

RECEIVED AND PLACED ON FILE

D. Permit from Hearthstone Community Bakery to Occupy Sidewalk at 2003 East Michigan Avenue

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

E. Z-3-90—610 East Sheridan Road

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

F. LS-3-90—224 Rouse Street

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

G. LS-4-90—Southwest Corner of Stafford Avenue and Jolly Road

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

H. LS-1-90—500 Filley Street

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

I. Homestead Purchase: 1330 Lansing Avenue, 1531 Roosevelt Avenue and 1812 Ray Street

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

J. Spring Construction Contracts

REFERRED TO PHYSICAL DEVELOPMENT COMMITTEE

COMMITTEE REPORTS

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the claims for relief from sidewalk special assessments emanating from Special Assessment Rolls B 22, B-24, B-25, B 26, B 27, and A-40.

Reports As Follows:

As a separate document, the Committee on Ways and Means recommends establishing policy guidelines for evaluating current and future claims concerning special assessments for installation or replacement of sidewalks. Pursuant to the recommended guidelines, the Committee on Ways and Means recommends the approval of ten of the twelve claims submitted, and recommended for approval, by the Committee on General Services. The total cost of the ten claims recommended for approval is $11,692.84.

The remaining two claims, those of Jon McNeil and Wayne LeMarble, are remanded back to the General Services Committee for further consideration in accordance with the policy guidelines recommended by the Ways and Means Committee.

BY COUNCILMEMBER BENAVIDES

That the report of the Committee be adopted.

Carried unanimously.

SLU-1-90
1320 North Grand River Avenue
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request by Richard Reaume representing Michael Alexander of the Olympic Broil Restaurant for property at 1320 North Grand River Avenue for the purpose of building in the 100 year flood plain of the Grand River.

REPORT AS FOLLOWS:

That the request for a Special Land Use be approved subject to:

1. Issuance of a permit by the Department of Natural Resources to construct in the 100 year flood plain.

2. Submission of final construction and site plan drawings by the applicant.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann,

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Road as a scenic corridor.

Motion by Councilmember Schmidt to set a public hearing for April 23, 1990.

Carried unanimously.

Resolution #126
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

1)
$30,525.59 from Parks & Rec. Budget Control
A/C 101 783860 992200 00000
30,525.59 to Capital Improvements Program
Budget Control A/C 101 933901 992200 00000
(Part of $125,000 local match for $375,000 grant from Michigan Department of Natural Resources for construction of Red Cedar Bike Path, Aurelius Road to I-496. Red Cedar Bike Path Old No. 101-936-761-974. New Acct. No. 101-933890-974000-13040.)

2)
$56,830.75 from 1987 Local Street Improvement—
Bond Fund Balance A/C 403 000000 390001 00000
56,830.75 to 1987 Local Street Improvement Bond—
Non-Motorized Vehicles A/C 403 933601 974100 42401
(Appropriation of interest from date of bond issue through Dec. 31, 1989, net of arbitrage rebate, for non-motorized transportation. To be used for Rcd Cedar Bike Path, Aurelius Road to 1-496 construction.)

3)
$11,700.00 from Contingency/Reserve Control
A/C 101 173901 992200 13055
11,700.00 to Gen. Admin. Control
A/C 101 173901 992200 00000
(Establishment of Special Assessment claims account-memo account #101-173901-741701-00000)

The Balance in the Reserve for Contingency Fund after this transfer is $412,175.00

Submitted By:
Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte
Director of Finance/City Controller

Motion by Councilmember Worthington to vote separately on item #3 from items 1 & 2. Carried unanimously.

Motion by Councilmember Worthington to approve items 1 & 2. Carried unanimously.

Motion by Councilmember Worthington to approve item 3.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann and Schmidt

NAYS. Adado, Worthington

ABSENT: None

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Resolution #127
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council has received a significant number of claims for relief from sidewalk assessments emanating from Special Assessment Rolls B-22, B-24, B-25, B-26, B-27 and A-40; and

WHEREAS, these claims have been reviewed by both the General Services Committee and the Ways and Means Committee; and

WHEREAS, notwithstanding the opinion of the City Attorney that the disputed assessments are legal and therefore binding, both Council Committees recommend approving those claims originating from what was, in the opinion of both committees, the lack of timely recording of sidewalk special assessments on the property descriptions located in the Assessor's Office;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the list of ten claims in the amount of $11,692.84;

BE IT FURTHER RESOLVED the Lansing City Council hereby establishes as a basis for the approval of any subsequent claims submitted for relief from sidewalk assessments the following criteria:

1. The Claimant purchased the property after the Notice of Special Assessment was issued but before the Special Assessment roll was recorded on the property description in the Assessor's Office.

2. The claimant appeared, or submitted a claim, at or before the Public Hearing held on the Public Improvement made to the property in question; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment on behalf of the above-mentioned ten claimants and any subsequent claimants who meet the criteria, after appropriate releases are signed.

Motion by Councilmember Benavides to accept substitute Resolution.

Carried unanimously.

Motion by Councilmember Benavides to adopt substitute Resolution.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann and Schmidt

NAYS: Adado, Worthington

ABSENT: None

Resolution #128
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-024 which authorizes the installation of yield signs on Marcus Street at Mifflin Avenue.

Motion by Councilmember Crawford:

Carried unanimously.

Resolution #129
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers, 90-025, which authorizes the installation of a traffic signal at the intersection of Northrup Street and Washington Avenue, 90-026, which authorizes the installation of a four way stop as an interim control until installation of the traffic signal is completed, and 90-027, which amends the existing regulation of Washington Avenue as a through street.

Motion by Councilmember Crawford:

Carried unanimously.

Resolution #130
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-015 which authorizes the installation of no parking zones on Pere Marquette.

Motion by Councilmember Crawford:

Carried unanimously.

Resolution #131
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-014 which authorizes the designation of Cavanaugh Road as a through street.

Motion by Councilmember Crawford:

Carried unanimously.

Resolution #132
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers: 90-019, which authorizes the installation of a stop sign on Forest Road at Collins Road; 90-020, which authorizes the designation of Forest Road as a through street; 90-021, which authorizes the turn restrictions at the intersection of Collins Road and Forest Road; 90-022, which authorizes the turn restriction on Forest Road at Harrison Road; and 90-023, which authorizes the turn restriction on Collins Road at the intersection of Dunckel Road.

Motion by Councilmember Crawford:

Carried unanimously.

Resolution #133
COMMITTEE ON PHYSICAL DEVELOPMENT

Final Preliminary Plat
Lancen Village South #5 Subdivision
P-1-87

WHEREAS Geert D. Mulder and Sons, Incorporated has applied for

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final preliminary plat approval of Lancen Village South #5; and

WHEREAS the applicant received tentative preliminary plat approval on May 4, 1987, subject to conditions, and received an extension of said approval on May 25, 1989 for one year; and

WHEREAS staff has reviewed the final preliminary plat submitted and has found it in substantial conformance with the conditions set forth in the tentative approval; and

WHEREAS the Physical Development Committee of Council has reviewed the report of the Planning Division and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the final preliminary plat of Lancen Village South #5 be approved with the same conditions;

BE IT FURTHER RESOLVED that the Clerk be directed to notify the applicant and the surveyor of this action.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #134
COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-1-90
1320 North Grand River Avenue

WHEREAS the applicant, Richard Reaume of Architectural Research and Consultants, has requested a special land use permit to construct a 16 foot, 8 inch by 43 foot, 4 inch addition in the 100 year flood plain of the Grand River to the south side of the existing building at 1320 North Grand River Avenue for additional dining room space; and

WHEREAS the new addition would meet all minimum setback and dimensional criteria except that it lies within the 100 year flood plain of the Grand River and because the site is larger than .5 acres, Planning Board and City Council approval are required; and

WHEREAS the Planning Board, on March 6, 1990, recommended approval of the special land use permit subject to conditions; and

WHEREAS the Physical Development Committee of Council has reviewed the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves a special land use permit for the property at 1320 North Grand River Avenue to construct a 16 foot, 8 inch by 43 foot, 4 inch addition to the south side of the existing building, which will be within the 100 year flood plain of the Grand River, subject to the following conditions:

1. Approval of the variance before the Board of Zoning Appeals.

2. Issuance of the Department of Natural Resources permit to construct in the 100 year flood plain.

3. Submission of acceptable final construction and site plan drawings by the applicant; and

The City Council in its evaluation of this proposal considered the following:

Compatibility with Surrounding Development—Most of the surrounding uses on North Grand River Avenue are non-residential. The addition will not significantly increase the intensity of use. It will be located on the south side of the building, which is away from the floodway but in the 100 year flood plain.

Changes in Essential Character—The proposed dining room addition will not change the essential character of the area, but will be an overall enhancement to this commercial area. The site plan submitted also shows an improved parking and circulation plan.

Interference with Use of Adjacent Properties—The proposal will not negatively impact the use of any other properties. Screening and buffering are required where the site abuts any residential development.

Represents an Improvement to the Area—The addition will provide the space necessary for additional seating area for the restaurant, thereby improving the capability of serving the public.

Create Environmental Hazards—The proposed addition is within the 100 year flood plain of the Grand River. The applicant is presently seeking a variance from the Board of Zoning Appeals to allow the first floor of the building to be 1.2 feet below the 100 year flood plain elevation. The appeal will be heard on March 8, 1990. The Michigan Department of Natural Resources has indicated that if local approvals are granted, the permit from MDNR would be issued. Therefore, it would not appear to create an environmental hazard relative to the flood plain or any other environmental feature.

Service by Public Facilities—Service to the proposed addition will be provided through the existing utilities available to 1320 North Grand River Avenue. No increase in utility service would appear necessary. No change in any other public service is anticipated as a result of this proposal.

Impact on Public Facilities—Since no change in the existing operation or intensity of use in public services or utilities is anticipated, no impact is expected.

Consistency with Master Plan—The proposal is consistent with the present development plans and general zoning patterns of the area.

Dimensional Criteria—Other than being located in the 100 year flood elevation, the proposed addition meets all other dimensional and setback criteria.

BE IT FINALLY RESOLVED that the City Clerk is hereby directed to notify the applicant of this action.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #135
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing City Council approved the sale of homestead property, 1421 Lansing Avenue to Troy and Kimberly McGregor; and

WHEREAS, Troy and Kimberly McGregor were unable to carry through the homestead process; and

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WHEREAS, one of the alternates originally selected for the property was still interested in homesteading; and

WHEREAS, the City Charter of the City of Lansing requires City Council approval of all sales of City property;

NOW THEREFORE BE IT RESOLVED that the City of Lansing authorizes the Mayor and City to execute the sale of agreement with Edward and Anne Oleniczak; and

BE IT FURTHER RESOLVED that the City Council authorizes the sale of 1421 Lansing Avenue to Edward and Anne Oleniczak, subject to the terms and conditions of Said Agreement and the City of Lansing's Urban Homesteading Procedures and that the names of Troy and Kimberly McGregor be withdrawn as homesteaders for 1421 Lansing Avenue.

By Committee on Physcial Development

Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing City Council approved the sale of homestead property, 810 Cross Street, to Virginia Swanson; and

WHEREAS, Virginia Swanson was unable to carry through the homestead process; and

WHEREAS, another homesteader, Arthur Gilmore, has been selected for 810 Cross Street; and

WHEREAS, the City Charter of the City of Lansing requires City Council approval of all sales of City property;

NOW, THEREFORE BE IT RESOLVED that the City of Lansing authorizes the Mayor and City to execute the sale of agreement with Arthur Gilmore; and

BE IT FURTHER RESOLVED that the City Council authorizes the sale of 810 Cross Street to Arthur Gilmore, subject to the terms and conditions of Said Agreement and the City of Lansing's Urban Homesteading Procedures and that the name of Virginia Swanson be and is hereby withdrawn as homesteader for 810 Cross Street.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #136
BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS a Historic Preservation Program has been established by the City of Lansing to preserve architecturally, socially, or historically significant buildings that are vacant and being allowed to deteriorate and;

WHEREAS the building located at 1208, 1210, 1212 Turner Street in the North Lansing Federal Historic District is in poor repair and its condition is a disincentive to the restoration of the remaining buildings within the historic district and;

WHEREAS the Lansing Historic District Commission has determined that the building located at 1208, 1210 and 1212 Turner Street meets the criteria for selection as an "Anchor Project" under the City's Historic Preservation program;

WHEREAS the North Lansing Community Association, the Historic District Commission and the City Administration have recommended that the City acquire the building located at 1208, 1210, 1212 Turner Street and take the actions necessary to restore this building so it may serve as a catalyst for the restoration of the entire North Lansing Historic District and;

WHEREAS the Physical Development Committee of the Lansing City Council has reviewed the report of the Administration and recommends that the City Council concur;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council authorizes the Administration to purchase 1208, 1210 and 1212 North Turner Street for the purpose of stabilizing the building and selecting a developer to purchase and restore the building consistent with historic preservation guidelines.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #137
COMMITTEE ON PHYSICAL DEVELOPMENT

ACT-39-89
4212 Courtland

WHEREAS the owners of 4212 Courtland, Lot 279, Glenburne Subdivision No. 5, desire to sell their property and require a clear title which is clouded by an unapproved encroachment into an on-site utility easement; and

WHEREAS the Planning Board has reviewed this encroachment through the Act 285 of Michigan Public Acts of 1931 process, and has recommended that a Release of Easement be granted under the condition that the property owners first obtain approval from the Board of Zoning Appeals for a variance of the side yard setback requirements of the Zoning Code; and

WHEREAS the City Council Committee on Physical Development concurs with the Planning Board's recommendation; and

NOW THEREFORE BE IT RESOLVED that the City Council grant a release of easement for the portion the existing structure encroaches into the utility easement along the south side of Lot 279, Glenburne Subdivision No. 9; and

BE IT FURTHER RESOLVED that the owner shall furnish to the City of Lansing Department of Planning and Municipal Development a legal description of the encroachment; and

BE IT FINALLY RESOLVED that this Release of Easement will be given upon favorable action for a variance to the side yard setback requirements of Section 1248 of the City of Lansing Planning and Zoning Code.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #138
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-6-89
Parcel "D" Delhi Township

WHEREAS the City of Lansing's Parks Department has requested a determination of the City's interest in City-owned land known as Parcel "D" in Delhi Township, more particularly described as:

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That part of the south 1600 feet of the northwest ¼ except the west 225 feet of the north 1500 feet thereof, and that part of the east ½ of the southwest Section 1, T3N, R2W, Delhi Township, Ingham County, Michigan, all lying westerly of the west ROW line Highway US-127, described as:
Beginning on the north line Section 1, 554.91 feet east of the northwest corner said Section 1, T3N, R2W; thence S27°16'45" E 1498.14 feet. thence S24°01'45" E 349.88 feet; thence S19°23'04 E172.63 feet; thence S10°05'41" E 172.63 feet; thence S00°48'18" E 172.63 feet; thence S08°29'05" W172.63 feet; thence S17°46'28" W 172.63 feet; thence S22°25'09" W 578.97 feet to point of ending,

and

WHEREAS the Lansing Planning Board has reviewed the request under P.A. 285 of the Public Acts of 1931 as amended and recommends that the 39-acre parcel be disposed of since there are no public benefits in retaining it; and

WHEREAS the Council Committee on Physical Development has reviewed the request and the Planning Board's recommendation and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approve the request to dispose of this park land; and

BE IT FURTHER RESOLVED that the City earmark the proceeds from the sale of this property to the maintenance and development of future parks within the City of Lansing.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #139
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-29-89
100, 200 and 300 Blocks of South Pennsylvania Avenue

WHEREAS the Lansing City Council in 1917 approved the vacation of excess right-of-way along the west side of the 100, 200, and 300 Blocks of South Pennsylvania Avenue, which is more particularly described as:

Commencing at a point in the south line of Michigan Avenue eight and one-quarter (8¼) feet east of the northeast corner of block four (4) of the Green Oak addition, running thence due south to the southeast corner of Block fifteen (15) of said addition thence northerly to the Northeast corner of said block four (4), east to point of beginning excepting such portions of said parcel of land as lie within the limits of Eureka and Prospect streets; and

WHEREAS this vacation action was never recorded nor the property placed on the tax rolls, and too much time has elapsed for the proper recording, thereby requiring a current reaffirmation of vacation by the City Council; and

WHEREAS the Planning Board reviewed this situation under the provisions of Act 285 of Michigan Public Acts of 1931, and recommended that the irregularly shaped parcels which taper from a width of 8¼± feet at Michigan Avenue to 0=± feet at the intersection of the South Pennsylvania right-of-way and Kalamazoo right-of-way be vacated in order to establish a uniform right-of-way width on Pennsylvania Avenue; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council vacate the parcel of land described above to the interest of the abutting property owners, and

BE IT FINALLY RESOLVED that the City Clerk properly record this order with the Ingham County Register of Deeds.

Motion by Councilmember Worthington:

Carried unanimously.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 811, Section 2, for the purpose of providing that seven (7) members shall be appointed to represent the district area.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 811, Section 2, for the purpose of providing that seven (7) members shall be appointed to represent the district area be now passed.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ORDINANCE N0. 814
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 811, SECTION 2, FOR THE PURPOSE OF PROVIDING THAT SEVEN (7) MEMBERS SHALL BE APPOINTED TO REPRESENT THE DISTRICT AREA.
Section 1. Seven (7) Block Neighborhood development Area—Created. Pursuant to 1945 P.A. 344 as amended by 1968 P.A. 189 and 1969 P.A. 173, Seven (7) Block Neighborhood Development Area shall be created, the boundaries of which are particularly described as:
PART 1. Blocks 7, 8, 9, 10, and 11 Bush/Butler/Sparrow Subdivision commencing at the intersection of the center line of Butler Boulevard and Allegan Street, thence southerly along center line of Butler Boulevard 2266.25± feet to center line of St. Joseph Street, thence westerly along center line of St. Joseph Street 704.25± feet to northbound center line Dr. Martin Luther King, Jr. Boulevard/Logan Street, then northerly along northbound center line Dr. Martin Luther King, Jr. Boulevard/Logan Street 2266.25± feet to center line of Allegan Street, thence easterly along center line 708.25± feet to point of beginning, City of Lansing, Ingham

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County, Michigan.
PART II. Portions of Assessors Plat No. 9 and Assessors Plat No. 42 commencing at a point 41.25 ft. S and 33 ft. E of the SE corner of Lot 79 Assessors Plat No. 42, thence Northerly along the northbound center line Dr. Martin Luther King, Jr. Boulevard/Logan Street 1184± ft. to intersection center line for southbound Dr. Martin Luther King, Jr. Boulevard/Logan Street, thence south westerly along center line 1420.25± ft. to 41.25 ft. south of St. Joseph north right-of-way line, thence easterly 668± ft. to point of beginning, City of Lansing, Ingham County, Michigan.
Section 2. Seven (7) Block Neighborhood Development Area Citizens' District Council—Created, appointment of members, powers and duties. There shall be created a Citizens District Council for the Seven (7) Block Neighborhood Development Area pursuant to 1945 P.A. 344, as amended. The Citizens' District Council shall consist of fifteen (15) appointed members. Eight (8) shall be residents appointed from the development area, and seven (7) shall be appointed TO REPRESENT the district area. The members of the Citizens' District Council shall be appointed by the Mayor of the City of Lansing in a manner that ensures that the Citizens' District Council is, to the maximum extent possible, representative of the residents of the area and of other persons with a demonstrable and substantial interest in the area. The term of office for each representative on the Citizens' District Council shall be for three (3) years.
The rights, duties and functions of the Citizens' District Council shall be the same as set forth in 1968 P.A. 189 and 1969 P.A. 173 including other amendments to this act as they may affect those rights, duties and functions. All vacancies in membership occurring on the Citizens' District Council through resignation or expiration of term of office shall be filled by appointment by the Mayor in accordance with the same procedure used for the initial appointments.
Pursuant to 1945 P.A. 344 as amended by 1968 P.A. 198 and 1969 P.A. 173, the Seven (7) Block Neighborhood Development Area Citizens' District Council boundaries shall be created and are more particularly described as:
The Citizens' District Council Area boundaries are described as follows:
Beginning at the intersection of Michigan Avenue and Butler Boulevard, south along Butler Boulevard to Kalamazoo Street, thence east along Kalamazoo Street to Pine Street, thence south along Pine Street to St. Joseph Street, thence west to southbound Dr. Martin Luther King, Jr. Boulevard/Logan Street (formerly Birch Street), thence northeast along southbound Dr. Martin Luther King, Jr. Boulevard./Logan Street to intersection with northbound Dr. Martin Luther King, Jr. Boulevard/Logan Street, then north along Dr. Martin Luther King, Jr. Boulevard/Logan Street to Michigan Avenue, thence east to beginning, and more particularly described as: PART 1. Commencing at the intersection of the centerlines of West St. Joseph Street and South Pine Street, thence N. along center line of Pine Street 1313.4± ft. to center line of Kalamazoo Street, thence W 1233.32± ft. to center line of Butler Boulevard, thence S 1313.4± ft. to center line of St. Joseph Street, thence easterly 1227.6± ft. to point of beginning, City of Lansing, Ingham County, Michigan.
PART II. Commencing at the intersection of the center line of Allegan Street and Butler Boulevard, thence northerly along center line of Butler Boulevard 371.25± ft. to center line Michigan Avenue, thence westerly along center line Michigan Avenue 707.25± ft. to center line Dr. Martin Luther King, Jr. Boulevard/Logan Street, thence south 371.25± ft. along center line Dr. Martin Luther King, Jr. Boulevard/Logan Street to center line Allegan Street, thence easterly along center line Allegan Street 707.25± ft. to point of beginning, City of Lansing, Ingham County, Michigan.
Section 3. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.
Section 4. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS, IF ANY

2. To accept a petition received from the River Forest Neighborhood Association complaining about the noise and appearance of refrigerated railroad cars in their neighborhood.

REFERRED TO THE COMMITTEE OF THE WHOLE

3. An Ordinance received from the City of Kalamazoo outlawing loitering in known drug areas.

REFERRED TO THE CITY ATTORNEY

4. A letter from the Eaton County Board of Commissioners presenting the Eaton County Solid Waste Management Plan.

REFERRED TO THE COMMITTEE OF THE WHOLE

Resolution #140
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in April and May of 1990, 50 American cities will host running and relay events to raise funds to immunize children against preventable diseases and to support local child assistance projects; and

WHEREAS, on May 6, 1990, Michigan's First Annual "Save The Children" relay race will be conducted on the campus of Michigan State University, with a goal of netting $25,000 to aid the Greater Lansing Food Bank, the World Runner's Organization (which organizes and manages these events), and the "Save The Children" Universal Immunization Project; and

WHEREAS, local organizers of the Relay will solicit cash contributions and relay teams which, in turn, will solicit pledges of donations from sponsors;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby supports the philanthropic goals of the "Save The Children" relay race to be held May 6, 1990; and

BE IT FURTHER RESOLVED the Council urges City Employees, as well as the People and Businesses of Lansing, to once again demonstrate that we are "The Community That Cares" by participating in this event and helping it surpass its financial goal.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #141
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan Department of Natural Resources is accepting applications for the Michigan Natural Resources Trust Fund; and

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WHEREAS, the City of Lansing has prepared a grant application for renovations to Fenner Arboretum and Nature Center; including trails, signage, and paving of parking lots.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes submission of the above-described grant application to the Michigan Department of Natural Resources; and

BE IT FINALLY RESOLVED the Council authorizes compliance with all requisites for receiving the State grant from the Michigan Natural Resources Trust Fund and commits to undertake the project for which grant funding is awarded.

Motion by Councilmember Lindemann:

Carried unanimously.

REFERRED TO THE COMMITTEE OF THE WHOLE

Resolution #142
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan Department of Natural Resources is accepting applications for the Recreation Bond Fund approved by the voters of the State of Michigan; and

WHEREAS, the City of Lansing has prepared a grant application for the construction of a new restroom/concession building at Potter Park Zoo.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes submission of the above-described grant application to the Michigan Department of Natural Resources; and

BE IT FINALLY RESOLVED the Council authorizes compliance with all requisites for receiving the State grant from the Recreation Bond Fund and commits to undertake the project for which grant funding is awarded.

Motion by Councilmember Lindemann:

Carried unanimously.

REFERRED TO THE COMMITTEE OF THE WHOLE

Resolution #143
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan Department of Natural Resources is accepting applications for the Michigan Natural Resources Trust Fund; and

WHEREAS, the City of Lansing has prepared a grant application for the connection of the River Trail between E. Grand River and the Turner-Dodge House.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes submission of the above-described grant application to the Michigan Department of Natural Resources; and

BE IT FINALLY RESOLVED the Council authorizes compliance with all requisites for receiving the State grant from the Michigan Natural Resources Trust Fund and commits to undertake the project for which grant funding is awarded.

Motion by Councilmember Lindemann:

Carried unanimously.

REFERRED TO THE COMMITTEE OF THE WHOLE.

PUBLIC COMMENTS

Don Frost of 4406 Ingham Street spoke protesting the denial of his claim by the Council (action taken on February 26, 1990).

John Konwinski of 3307 Springbrook spoke of the need for more parking downtown and presented some suggestions.

The following spoke in support of the removal of the median on South Pennsylvania:

-Bill Carter of 3333 Moores River Drive
-William Nakfoor of 3400 Tecumseh Road
-Frank Schmidt of 1414 Lindbergh
-Ruth Power Pruitt of 1739 W. Georgetown
-Crystal Goodman of 1445 E. Grand River
-Jim Schmidt of 1800 S. Pennsylvania
-Pamela Farnum of 2845 Webster Road

There were two other public speakers in support of the removal of the median but they did not enter their name and address on the sign in log.

Muhammed Frank Curtis commented about a lack of help he felt he received from a City employee.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd mentioned that Earlene Neal has been discharged from the hospital and asked him to extend her thanks for the good wishes she received.

Mr. Boyd also discussed the spring construction projects previously mentioned by Mayor McKane.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt asked Howard McCaffrey several questions regarding the removal of the median on South Pennsylvania. Councilmember Schmidt announced that a meeting will be held on March 22, 1990 at Mt. Hope School regarding the status of sewers and that another meeting will be held on March 28, 1990 at Cavanaugh Elementary School regarding the flooding problems of that area.

Councilmember Lindemann stated that he wished to set the record straight in that Don Frost mentioned he was not having his phone calls returned by Council members and that he felt he did not have an adequate hearing by Council. Councilmember Lindemann stated that Council has always returned Mr. Frost's phone calls and that the General Services Committee met in two extended sessions to review Mr. Frost's claim.

Councilmember Adado congratulated Councilmember Schmidt for having been named chair of the Michigan Women in Municipal Government.

Councilmember Belen wanted to remind everyone that the Volunteers of America will pick up newspapers which would aid the recycling effort. She also mentioned that the Food Bank is in need of money or donations.

Councilmember Ford commended the Mayor for including the concept of a police sub station in his budget.

COUNCIL PRESIDENT BELEN:
Council adjourned at 10:00 P.M.

James D. Blair, City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 2, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
April 2, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation was given by Councilmember Adado.

The Pledge of Allegiance was given by the Junior Civitan Group.

There were no printed Council Proceedings ready for approval.

By Councilmember Adado:

That we suspend the rules to accept the following:

1/ A proclamation from the Mayor to Junior Civitan naming the week of April 9-15, 1990 "Civitan International Awareness Week"

2/ A resolution providing paid parking for City Council staff

3/ A resolution calling for barricades to curtail drug activity in the Dr. Martin Luther King, Jr./St. Joseph Street/McPherson Avenue and Shiawassee area

4/ A petition received from Loretta Savoie of 1800 E. Holmes Road to place "no parking" signs on the north side of the 1800 block of East Holmes Road and on the West Side of the 3400 block of Ruth Street

Carried unanimously

PUBLIC HEARINGS

April 2, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the proposed amending of Chapter 860, Section 860.04 to eliminate the requirement for a penal bond for shows held at the Lansing Convention/Exhibition Hall and/or the Lansing Civic Arena.

The Council President annouced that if there was anyone present who had any suggestions or objections to make to the proposed amending of Chapter 860, Section 860.04, they would have the privilege of speaking at this time.

There were no public speakers for this Hearing.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENTS

Russell Barnes of 310 McPherson, representing the West Side Neighborhood Association, spoke in support of the resolution requesting barricades for this neighborhood.

SPECIAL CEREMONIES

The Mayor presented a Proclamation naming the week of April 8-14, 1990 as "Building Safety Week" to James Kzeski, Director of Building Safety.

The Mayor presented a Proclamation naming the week of April 9-15, 1990 as "Civitan International Awareness Week" to Carol Walters, Governor of Civitan.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

A. Notice received from the Michigan Department of Natural Resources of a request for a permit to make repairs to Moore Park Dam between June and December, 1990

REFERRED TO THE WATERFRONT DEVELOPMENT BOARD

B. Application received from Ameritainer, Inc. for an Industrial Facilities Exemption Certificate

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT
AND THE ECONOMIC DEVELOPMENT BOARD

C. Petition from, the Lansing Retired Policemens, & Firemens Association requesting support for Increases in Retirement Benefits

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letter from Gregory McClelland representing Gentilozzi Real Estate requesting copies of documentation on the use, lease or sale of the Lansing Civic Center under the Freedom of Information Act

REFERRED TO THE MAYOR

E. Unsigned letter regarding the police horse patrols

RECEIVED AND PLACED ON FILE

F. Letter from Wayne Wudyka of Stearns Investment Corporation suggesting changes to the draft on proposed changes in the sign ordinance

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

G. Letter from Paul W. Stearns thanking Council for the resolution concerning the sidewalk assessments on S. Pennsylvania Avenue

RECEIVED AND PLACED ON FILE

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H. Notification received from the Board of Water & Light that they will be repairing street lighting in the area of S. Cedar Street, Syringa Drive, Cloverland Drive, Donald Street and Cherryland Drive during April, 1990

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

I. Request received from the Liquor Control Commission to provide local approval to transfer a Dance, Entertainment or Dance-Entertainment permit from Rosa DeLaCruz to Sam X. Eyde

REFERRED TO THE CITY CLERK

J. Letter from Peter Pasterz, Executive Director of The Recyclers of Ingham, Eaton & Clinton Counties, regarding their request for increased funding for the 1990-91 year

REFERRED TO THE
INTERGOVERNMENTAL AFFAIRS COMMITTEE

K. Letter from Douglas C. Berg regarding the fact that City Wide Moving of 600 N. Cedar Street does not have a license to haul trash but has been doing so in violation of City Ordinance

REFERRED TO THE COMMITTEE OF PUBLIC SERVICES,
THE MAYOR AND THE CITY ATTORNEY

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mayor McKane commented that he has only one letter on tonight's agenda. This letter is in support of the resolution authorizing publication of notice of intent to issue bonds.

REPORTS OF CITY OFFICERS AND BOARDS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #144
April 2, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. There are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Cesar Donivin Medina, Richardo Anthony O'Neal, Walter Hodge Boyd, Charles Andrew Mitchell, Delbert Leroy Price, David Wallace Baney

VEHICLES FOR HIRE: Incognito Limousine Service, American Dream Limousine

SIGN ERECTOR: National Advertising Company, The Wagner Sign Company, Fabricraft, Inc., Central Advertising Company

AUCTIONEER: Steven E. Stanton, William J. Stanton, Harley H. Hatcher

BUILDING WRECKER: Parish Corporation

WRECKER SERVICE: Pop's Towing, Duane's Shell, Inc.

SECOND HAND DEALER: Stephen John Shaver

RUBBISH HAULER: G. L. DePue & Associates, Inc., Joy Blaine, Granger Container, Wemco Construction

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, that the recommendations of the Clerk be approved.

Carried unanimously.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from the Council Proceedings of March 26, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the Mayor supporting Resolution authorizing publication of notice of intent to issue bonds to finance improvements to the Special Assessment Districts

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the request to waive the fees associated with the rental of the Lansing Civic Arena for the purpose of honoring Richard Letts.

Reports As Follows: While the City Council can waive fees for the use of City parking facilities, the City Council cannot waive expenses for facilities operated by the Lansing Exhibition Authority. However, based on Mr. Letts' service to the Lansing Community, the Committee recommends co-sponsoring this event in the amount of $1,210, to be paid from the City Special Expense Account.

BY COUNCILMEMBER BENAVIDES

That the report of the Committee be adopted.

Carried unanimously.

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the inquiries by Harold Leeman on the Lansing Cable Advisory Board,

REPORTS AS FOLLOWS: The City Attorney has recommended that the Cable Advisory Board by re-established by means of a new ordinance that will constitute it according to the City Charter. Such ordinance is being drafted for introduction. Concurrently, the Attorney advised that this Board no longer have the final decision in the annual process of awarding production grants to organizations and individuals who produce programs for the community access channels. Instead, the board should continue to screen grant applications and forward their recommended allocations to the City Council. This process has been followed for 1989 grant funds. The Committee concurs in the allocation recommendations of the Cable Advisory Board (attached) and refers this matter to the Committee on Ways and Means for action.

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be adopted.

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Carried unanimously.

RESOLUTIONS

Resolution #145
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, our nation and this community have been enriched by the wide variety of education, information and entertainment programs offered by the medium of cable television; and

WHEREAS, the full enjoyment of these benefits is made possible for the Citizens of Lansing through the services of Continental Cablevision; and

WHEREAS, the month of April 1990 has been designated nationally for recognition of the outstanding quality, quantity and diversity of cable television's unique programming; and

WHEREAS, this Council is proud of the Lansing cable system for its commitment and ongoing efforts to support televising local people and events on the City's Channel 28 and the other seven community access channels;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby designates the month of April 1990 as "Cable Television Month in Lansing."

Motion by Councilmember Schmidt:

Carried unanimously.

Resolution #146
PUBLIC IMPROVEMENT IV

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the City Council of the City of Lansing

That the Special Assessment Roll for Street Trees and Tree Grates for the proposed South Cedar Street Beautification Project

PROPERTY BENEFITTED:

All lands fronting South Cedar Street from Cloverland to Mt. Hope Avenue.

The revised estimated expense of said improvements based upon construction bids are as follows:

PROJECT NUMBER PS 66046
ASSESSMENT ROLL 316
INTERSECTION AND CITY CONTRIBUTION: $51,000.00
ASSESSABLE TO PROPERTY OWNERS: $51,000.00

TOTAL COST: $102,000.00

as returned by the City Assessor be, and the same hereby is, ratified and confirmed, and the Mayor be, and hereby is, directed to affix, within ten days, his warrant directing the City Treasurer to collect said tax on or before the 2nd day of July 1990.

Motion by Councilmember Worthington:

Carried unanimously.

Resolution #147
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Plymouth Congregational Church is celebrating 125 years of service and commitment to the Lansing community; and

WHEREAS, Plymouth Congregational Church has a reputation for being a congregation always striving for excellence relative to all aspects of life and it's membership continues to grow each year; and

WHEREAS, in 1877 a beautiful brick Gothic style church was constructed on the corner of West Allegan and Townsend. In 1971 this beautiful building located downtown was destroyed by fire and the congregation met for worship at our Y.W.C.A., until the present building was completed in 1975; and

WHEREAS, during this period of hardship, the services provided did not wane;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby commends Plymouth Congregational Church on their 125th Year Anniversary and sends all members of their congregation a sincere "THANK YOU" for the contributions they have made to the citizens of Lansing; and

BE IT FURTHER RESOLVED, that the Lansing City Council strongly feels that the churches in our City are the moral fiber of our community, and we hope they continue this practice for many, many years to come.

Motion by Councilmember Adado:

Carried unanimously.

Resolution #148
BY THE COMMITTEE OF THE WHOLE:

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS

WHEREAS. this City Council has previously resolved to undertake the construction of improvements in the special assessment districts identified by the following special assessment roll numbers: 301, 303, 304, 305, 306, 307, 308, 309, 311, 312, 314, 315, 21B, 22B, 24B, 25B, 26B, 27B, 28B, 30B, 31B, 40B, 43B and 44B (the "Special Assessment Districts").

WHEREAS, this City Council has confirmed, or prior to the issuance of bonds in anticipation of the special assessments will confirm, the special assessment rolls for the improvements in the Special Assessment Districts after public hearings held to hear objections to the special assessment rolls; and

WHEREAS, the Michigan Home Rule Cities Act, Act 279, PA 1909, MC&A 117.1 et seq; MSA 5.2071 et seq (the "Act"), requires the City of Lansing to give notice of its intent to issue bonds and this City Council wishes to authorize publication of notice of the intent of the City of Lansing to issue City of Lansing LTGO Special Assessment Bonds, Series 1990A (the "Bonds") initially payable from the special assessments to be received from some or all of the Special Assessment Districts as required by the Act.

BE IT RESOLVED BY THE CITY COUNCIL OF LANSING, MICHIGAN, THAT:

1. The City Clerk of Lansing, Michigan, is authorized and directed to publish notice of the intent to issue bonds to finance

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improvements to the Special Assessment Districts in the Lansing State Journal, a newspaper of general circulation within the City of Lansing, as required by the Act and set out in Exhibit I.

2. It is hereby determined that the above notice provides information to adequately inform the taxpayers and electors of the City of Lansing of the nature of the Bonds to be issued, the obligation to be undertaken by the City of Lansing and of their right to file a petition for a referendum requesting an election on the issuance of the Bonds.

It is hereby found and determined that the Lansing State Journal is a newspaper of general circulation in the City of Lansing and is the newspaper reaching the largest number of persons to whom the notice is directed.

3. The Finance Director is hereby authorized to execute a Notice Of Intent To Issue An Obligation for filing with the Municipal Finance Division of the Michigan Department of Treasury for the purpose of obtaining an Order Providing Exception with respect to the City of Lansing LTGO Special Assessment Bonds, Series 1990A to be issued by the City of Lansing in an amount not to exceed $1,500,000. In the event an Order Providing Exception is not available, the Finance Director is hereby authorized to execute an Application For State Treasurer's Approval To Issue Bonds for the City of Lansing LTGO Special Assessment Bonds, Series 1990A in an amount not to exceed $1,500,000.

Motion by Councilmember Adado:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSTENTIONS: None

Resolution #149
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Personnel Rules for Council staff employees currently provide that only the Council's Executive Assistant, Research Analyst and Chief of Internal Audit shall have parking provided to them at no cost;

NOW, THEREFORE, BE IT RESOLVED that the subsection identified as "K. Parking/Transportation Subsidy" on Page 30 of the Personnel Rules for Council Staff Employees be amended to read as follows:

"All Council staff, whether full or part-time, but excluding the Internal Audit staff except for the Chief of Internal Audit shall have parking provided to them at no cost in the North Grand Parking Ramp. Any Council staff, whether full or part-time, but excluding the Internal Audit staff except for the Chief of Internal Audit, who elects to utilize CATA bus transportation shall be reimbursed the full cost of a monthly pass."

Motion by Councilmember Adado:

Carried unanimously.

Resolution #150
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, illegal drug activity and related crime are detrimental to the public health, safety and welfare and contrary to law; and

WHEREAS, based on information from residents, the neighborhood bounded by Shiawassee on the north, Dr. Martin Luther King, Jr., Blvd./Logan Street on the east, St. Joseph Street on the south and McPherson Avenue on the west has been exposed to a high incidence of illegal drug activity and related crime; and

WHEREAS, the City Council has determined that closing streets to all but local traffic has the effect of deterring and decreasing incidences of illegal drug activity and related crime; and

WHEREAS, residents of the above-described area have specifically requested the City to use barricades to reduce drug activity;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 2.51(2) of the Traffic Code, the City Council hereby closes to all but local traffic the streets within an area bounded by Shiawassee Street on the north, Dr. Martin Luther King, Jr., Blvd./Logan Street on the east, St. Joseph Street on the south, and McPherson Avenue on the west between the hours of 6:00 PM and 6:00 AM daily, and authorizes the use of appropriate barricades and signs to indicate such closure; and

BE IT FURTHER RESOLVED the Mayor is requested to work with residents of the above-described area to determine which portions shall be barricaded at any one time; and

BE IT FINALLY RESOLVED the closure set forth herein shall be for a period not to exceed ninety (90) days from adoption of this resolution, however, the Mayor is authorized to terminate such closure sooner, and/or reinstitute such closure for the balance of the ninety (90) day period, as the incidence of crime might warrant.

Resolution amended to Correct location of Westerly border to read "McPherson to Spencer to Jenison then North to Shiawassee".

Motion by Councilmember Ford to amend resolution.

Carried unanimously.

Motion by Councilmember Ford to adopt amended resolution.

Carried unanimously.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

2/ A resolution providing paid parking for City Council staff—handled as Resolution # 149

3/ A resolution calling for barricades to curtail drug activity in the Dr. Martin Luther King, Jr./St. Joseph Street/McPherson Avenue and Shiawassee area—handled as Resolution # 150

4/ A petition received from Loretta Savoie of 1800 E. Holmes Road to place "no parking" signs on the north side of the 1800 block of East Holmes Road and on the West Side of the 3400 block of Ruth Street

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REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

PUBLIC COMMENTS

Don Frost of 4406 Ingham Street spoke protesting the denial of his claim.

Sue Eby of 130 Island, representing the South Central Neighborhood Association, spoke of the need for relief for volunteers by providing a drop off site for recycled products.

Susanna Harris of 1573 N. Genesee, representing Junior Civitan, mentioned some of the fund raisers that the Group will be sponsoring during the month of May.

Nathan Johnson of 1136 W. Allegan spoke in support of the police barricades in the West Side Neighborhood area and said he would be willing to set up and remove the barricades.

Phillip Alber of 732 W. Genesee spoke of the need for increasing retiree benefits for retired police and firemen and their widows.

Donald Halstead of 1902 Pembroke Lane, Flint, spoke to support the petition for improved benefits for police and fire department retirees.

Steven Johnson of 1116 W. Allegan spoke in support of the police barricades in the West Side Neighborhood area and said he would be willing to set up and remove the barricades.

Muhammed Frank Curtis spoke in opposition to the police barricades in the West Side Neighborhood area.

George Scarlett of 7313 Williamsburg Road spoke in support of the petition for improved benefits for police and fire department retirees and their widows.

Harold Jurasek of 3200 Reo Road spoke to request a traffic light in the Reo Road area.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane appealed to everyone to mail in their Census form as we need to have everyone counted in order to retain needed federal dollars allocated to Michigan and the Lansing area.

The Mayor also mentioned that the concept of the police barricades in the neighborhoods has been tested in the courts and is legal.

REMARKS BY COUNCILMEMBERS

Councilmember Ford expressed his thanks to his colleagues on Council and to the Mayor's Office for their support of the resolution requesting police barricades in the West Side Neighborhood area. Councilmember Ford also stated that he has received several complaints about the traffic flow in the Delta River Drive area and is requesting the Mayor to have this checked out.

Councilmember Benavides also urged everyone to be sure to complete their Census form and get it in the mail. He said that Cristo Rey Center has personnel who can assist in completing these forms. Councilmember Benavides expressed his thanks to the Mayor for help received with the breaking and enterings that were occurring in the S. Pleasant Grove/Mary St. area. Councilmember Benavides also stated that the Committee on Ways and Means meeting scheduled for April 4, 1990 has been cancelled.

Councilmember Schmidt had a question for the Mayor and the City Attorney regarding the legality of the placement of Detroit News boxes in the public right of way in the South end of town. The City Attorney and Mayor both responded that it is legal for these boxes to be placed in the right of way.

Councilmember Adado had a question for the Mayor regarding a grievance that had been filed against the Finance Department by some of the employees. The Mayor and the City Attorney stated that they would be following the established procedure to investigate this grievance.

COUNCIL PRESIDENT BELEN:

Council adjourned at 8:30 P.M.

JAMES D. BLAIR, CITY CLERK
City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, April 5, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
April 5, 1990

The City Council of the City of Lansing, Michigan, met in special session at 1:25 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, and Worthington

ABSENT: Councilmembers Lindemann and Schmidt

PUBLIC COMMENTS

There were no public speakers

Motion by Councilmember Ford:

To reconsider resolution # 150 adopted by City Council on April 2, 1990 regarding barricades.

Carried unanimously; Councilmembers Lindemann and Schmidt absent.

Resolution #150
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, illegal drug activity and related crime are detrimental to the public health, safety and welfare and contrary to law; and

WHEREAS, based on information from the Uniform Division and Criminal Intelligence Unit of the Lansing Police Department, along with information from residents, the neighborhood bounded by Shiawassee on the north, Dr. Martin Luther King, Jr. Blvd./Logan Street on the east, St. Joseph Street on the south, and a western boundary of Everett Drive at St. Joseph to Hillsdale, west to McPherson, to Spencer, to Jenison to Shiawassee, has been exposed to a high incidence of illegal drug activity and related crime; and

WHEREAS, the City Council has determined that closing streets to all but local traffic has the effect of deterring and decreasing incidences of illegal drug activity and related crime; and

WHEREAS, residents of the above-described area have specifically requested the City to use barricades to reduce drug activity;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 2.51(2) of the Traffic Code, the City Council hereby closes to all but local traffic the streets within an area bounded by Shiawassee Street on the north, Dr. Martin Luther King, Jr. Blvd./Logan Street on the east, St. Joseph Street on the south, and a western boundary of Everett Drive at St. Joseph to Hillsdale, west to McPherson, to Spencer, to Jenison to Shiawassee, and authorizes the use of appropriate barricades and signs to indicate such closure; and

BE IT FURTHER RESOLVED the Mayor is authorized to determine which portions shall be barricaded at any one time; and

BE IT FINALLY RESOLVED the closure set forth herein shall be for a period not to exceed one hundred twenty (120) days from adoption of this resolution, however, the Mayor is authorized to terminate such closure sooner, and/or reinstitute such closure for the balance of the one hundred twenty (120) day period, as the incidence of crime might warrant.

Motion by Councilmember Ford:

To substitute old resolution #150 with an amended resolution.

Carried unanimously; Councilmembers Lindemann and Schmidt absent.

Motion by Councilmember Ford:

To accept amended resolution #150.

Carried unanimously; Councilmembers Lindemann and Schmidt absent.

COUNCIL PRESIDENT BELEN:

Council adjourned at 1:32 P.M.

James D. Blair
City Clerk
Lansing, Michigan

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THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, April 9, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
April 9, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were led by Mayor McKane.

Motion by Councilmember Lindemann to accept the printed Council Proceedings for March 19, 1990.

Carried unanimously.

By Councilmember Crawford:

That we suspend the rules to accept the following:

1/ Letters regarding Special Assessment Roll No. B-30 from:
-Don and Joan Recchy of 1616 James Street
-James Smith of 300 S. Larch
-Roberto Barajas of 413 Monroe
-Mr. & Mrs. Ricardo Sauceda of 1812 New York
-Jack Schineman of 1620 James Street
-Mary Barlow of 6070 Columbia Street, Haslett

2/ Resolution from the Committee on Public Safety regarding Traffic Control Order No. 90-017: Installation of a Stop Sign on Washtenaw Street at the Intersection of Pine Street

3/ Letters supporting the Recycling Program from:
-Thomas Walsh of 1515 W. Mt. Hope Avenue, Suite 5
-Barbara Thomsen of 1241 Climax
-Mrs. Jack Good of 2618 Dunbar Drive
-Janette Trachsel of 3333 Moores River Drive #705
-Jaunette Englesfield of 311 S. Jenison
-H. Sneider (no street address given)

4/ Letters opposing the proposed cat ordinance from:
-Donald Lancour of 3908 Alpha
-Charles Haynes of 305 N. Foster

Carried unanimously.

SCHEDULED PUBLIC HEARINGS

1. April 9, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on Special Assessment Roll #B-30 for Sidewalk Construction and Repairs.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Special Assessment, they would have the privilege of speaking at this time.

The following speakers protested the cost of the repairs:
-James Yoder of 419 Beech Street
-Joyce Hook of 429 Beaver Street
-Keith Wing of 1616 Vermont
-Mijo Kazoe of 538 N. Cedar Street
-David Ramsey of 2000 Vermont

Laura Sauceda of 1812 New York Avenue felt that her parents sidewalks were not in need of repair.

A representative of Fasteners, Inc. of 310 Beaver Street stated that the repairs were done prior to their purchase of the property.

Richard Albertson of 409 Adams questioned why the rate of assessment for repairs to his sidewalks on Center Street was greater than the cost of repairs to the Adams sidewalks.

Bob Wallis representing Restoration Industries stated that the repairs were done prior to their purchase of the property.

Noah Hagler of 1600 Vermont said that to his knowledge neither he nor the lienholder of this property received any notification of the work to be done.

Paul Wrzesinski of 1609 Vermont stated that the City marked eight squares for repair, repaired twelve squares, and damaged three other squares that were not marked for repair.

Louis Schineman of 1620 James Street objected to the quality of the work.

Marc Barton of 201 E. North Street received two different billings and needs to determine which one is correct.

Jeff Venn of 505 E. Grand River stated that the workmen broke a water main in his building during the repairs and later fixed this break. He is wondering if any of the cost of the repair of the water main was included in the assessment he received. He also wanted to know why the workmen removed some blacktop that he had just installed and replaced it.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2. April 9, 1990 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on a Waiver of the Noise Ordinance for WMMQ Concerts on the 100 Block of Washington Square Mall from May 25, 1990-August 31, 1990 between 11:30 A.M. and 1:30 P.M.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Waiver of the Noise Ordinance, they would have the privilege of speaking at this time.

Sandy Kovach, Promotions Director of WMMQ, requested the

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support of Councilmembers for the waiver of the noise ordinance.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

PUBLIC COMMENTS

There were no public speakers.

SPECIAL CEREMONIES

The Mayor presented a resolution recognizing the week of April 7-14, 1990 as Community Development Week. As part of this recognition, he presented posters to: Green Oaks Target Organization, Lansing Neighborhood Council, Eastside Neighborhood Association, Cherry Hill Neighborhood Association, Westside Neighborhood Association, North Lansing Community Association, Downtown Neighborhood Association, South Central Neighborhood Association, Franklin Street Housing Cooperative, Lansing ReInvestment Corporation, Lansing Historic District Commission, Community Builders and Union Missionary Baptist Church.

The Mayor and Council President Belen recognized Michigan Biotechnology Institute for their growth and spirit of community cooperation. Gregory Zeikus, President of Michigan Biotechnology Institute, introduced several members of his staff and outlined the future plans of the Institute.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

A. Z-9-90 —320 N. Walnut Street Petition for rezoning from "DM-4" to "D-1" District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter from Doris English of 1500 Indiana Avenue regarding Sidewalk Assessment for Property at 1505 Indiana Avenue

REFERRED TO THE CITY ATTORNEY

C. Application for a Commercial Facilities Exemption Certificate received from Quick Lube, Inc.

REFERRED TO THE MAYOR AND THE ECONOMIC DEVELOPMENT BOARD

D. Letter from Gigi Foltz of 1631 S. Pennsylvania opposing the removal of the median strip on S. Pennsylvania

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E. Letter from Nancy Mummaw of 1609 S. Pennsylvania opposing the removal of the median strip on S. Pennsylvania

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

F. Letter from Howard Wolpe inviting Councilmembers to a informational Breakfast to discuss Environmental Issues

REFERRED TO THE COMMITTEE OF THE WHOLE

G. Letter from Lance Lynch, President of the Lansing Area Safety Council, inviting Councilmembers to the annual Cross Guard Appreciation Dinner on May 9, 1990 and the Safety Patrol Picnic

REFERRED TO THE COMMITTEE OF THE WHOLE

H. Petition received requesting a Rescision of Licensure for Downtown Food Vendors

REFERRED TO THE DOWNTOWN MALL ADVISORY BOARD

I. SLU-4-90 —609/11 and 615 S. Grand Avenue to allow an Off-street Surface Parking Lot

REFERRED TO THE MAYOR AND THE PLANNING BOARD

J. Letter from the Michigan Municipal League requesting updated Listing of Lansing City Officials for publication in their Directory

REFERRED TO THE CITY CLERK

K. Letter from John Ruge of the Lansing Neighborhood Council on results of the Task Force Review of the 1990-1991 Budget

REFERRED TO THE COMMITTEE OF THE WHOLE

L. Letter from Dolores Wood of 1521 Jerome Street regarding Reduction of Services at the Community Centers

REFERRED TO THE COMMITTEE OF THE WHOLE

M. Letter from Howard Wolpe providing an update on Legislative Developments regarding Regional Bell Telephone Companies

REFERRED TO THE MAYOR AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE

N. Letter from Mary Murphy-Woll, President of the Eastside Neighborhood Organization, supporting the Proposed Addition of Two Code Compliance Officers and Computer Hardware and Software for the Building & Safety Division

REFERRED TO THE COMMITTEE OF THE WHOLE

O. Letter from Mary Sova, Secretary of the Lansing Board of Water & Light, Recommending Approval of Deloitte and Touche to Conduct Audits of the Board of Water & Light's Pension Fund for the Year Ending June 30, 1990

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

P. Letter from Donna Audette, Director of Planning and Zoning for the Clinton County Department of Planning and Zoning, asking whether the City of Lansing wishes to Appoint a Citizen Member to Participate in a Local Solid Waste Advisory Committee

REFERRED TO THE MAYOR

Q. Letters asking for Support of the Recyclers of Ingham, Eaton and Clinton Counties Proposal to Establish a Permanent Central Drop-off Site that Would be Open Daily

-from Rita Clee of 3604 West Miller Road
-from Donald Nobach of 428 Dadson Drive
-From Pearl Seal of 1626 S. Genesee Drive
-from Lisa Wickman of 1000 Justamere
-from Douglas Bapp of 1421 E. Kalamazoo

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-from Jane Filipiak of 500 N. Foster Ave.
-from May Ruppenthal of 824-½ Princeton Ave.
-from Barbara Thomsen of 1241 Climax
-from Martha McClellan of 1225-½ N.Washington

REFERRED TO THE
INTERGOVERNMENTAL RELATIONS COMMITTEE

R. Letter from Priscilla Holmes of Lansing's Neighborhood Council expressing Concern over the closing of Neighborhood Centers in the Evening Hours during the Summer Months

REFERRED TO THE COMMITTEE OF THE WHOLE

MAYOR OR
EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

The Mayor discussed his letter #3A requesting confirmation of the appointment of Sherri Johnson and Richard Jewell to the Board of Police Commissioners. He also discussed letter #3D dealing with a traffic concern at the Edgewood Blvd. intersection of Dr. Martin L. King, Jr. Blvd./Logan Street. He then reviewed letter #3H regarding his recommendation for the handling of the median strip on South Pennsylvania Avenue. He stated that there is money in the contingency fund to cover his recommended handling of the median strip and that no assessment would have to be made to property owners.

Council President Belen asked the Mayor what plans are in place to provide alternative parking during the parking renovations. The Mayor responded that this was taken into consideration but that to stretch out the length of time of the renovations would increase costs.

Councilmember Adado asked the Mayor if the City told the residents as part of the survey of the South Pennsylvania Avenue area that they would have to pay for the costs of the removal of the median strip. The Mayor responded that there was a question asking if they would be willing to pay for the repairs but no statement that they would have to pay for the repairs. Councilmember Adado requested that such a statement not be included in future surveys.

Councilmember Ford asked the Mayor why a resident of the third ward was not selected for appointment to the Board of Police Commissioners. The Mayor responded that there was a lack of applicants from the third ward and that he felt Mr. Jewell possessed the desired qualifications.

REPORTS OF CITY OFFICERS AND BOARDS

1. Letters from City Clerk submitting routine applications for action on licenses and bonds:

A. APPROVALS:

Resolution #151
April 9, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Eugene Dee Heterington, Jerry Duane Dewitt, Alexander Runge, Richard Seperic, Ford Orlo Jones, Steven Gibson Larkins

SIGN ERECTOR: Terrell Associates

AUCTIONEER: John L. Ford, Gaylord Schafer, Warfield Auction Service

BUILDING WRECKER: Pitsch Wrecking, J. C. Linn Co., North American Dismantling Corp.

MASSAGE THERAPISTS: Kathryn Lerch, Joan Lippincott

ICE CREAM PEDDLER: Ray C. Williams

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, that the recommendations of the Clerk be approved.

Carried unanimously

B. COUNCIL REFERRALS:

April 9, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear Councilmembers:

Attached herewith are applications for Public Drivers Licenses returned unsigned from the Lansing Police Department for:

Barney Mason under Section 872.23 (b) 6
R. M. Belen under Section 872.23
Jack Ailles under Section 872.23

Sincerely,
James D. Blair
City Clerk
City of Lansing, MI

REFERRED TO CITY ATTORNEY

2. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes of the Proceedings of April 2, 1990 for Review

RECEIVED AND PLACED ON FILE

3. Letters from the Mayor re:

A. Recommendation that Sherri Johnson and Richard Jewell be appointed to fill upcoming At-Large Member Vacancies on the Board of Police Commissioners

REFERRED TO THE PUBLIC SAFETY COMMITTEE

B. Letter from MADD thanking the Mayor and others in the City of Lansing for their Support of the Red Ribbon Kickoff Event

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RECEIVED AND PLACED ON FILE

C. Report from Jack Morgan of the State Department of Transportation regarding Traffic Concerns at Edgewood Blvd. and Dr. Martin L. King, Jr. Blvd./ Logan Street

RECEIVED AND PLACED ON FILE

D. Memo from David Berridge, Transportation Engineer, detailing Parking Garage Restoration Contracts

RECEIVED AND PLACED ON FILE

E. Memo from David Berridge, Transportation Engineer, outlining 1990 Traffic Signal Priorities

REFERRED TO THE PUBLIC SAFETY COMMITTEE

F. Recommendation of support for Resolutions on Public Improvements I & II—Aurelius Road Reconstruction Phase II, PS 87063

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

G. Sole Source Procurements Made During the First Quarter of 1990 (Purchasing Department Report)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

H. South Pennsylvania Avenue Median Report

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

I. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

Councilmember Worthington requested that the report from the Committee on Physical Development concerning Z-23-89 rezoning be pulled at this time as this report is incomplete.

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Cable Advisory Board's recommended allocation of 1989 community access channel programming grant funds,

REPORTS AS FOLLOWS: The Committee has reviewed the recommended allocations of 1989 grant funds to access channel programmers, and concurs with the Committee on General Services that the list be approved as submitted (list attached). Continental Cablevision is now holding the grant funds and will issue checks to recipients as in years past.

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be adopted.

Carried unanimously

CABLE ADVISORY BOARD BRANT RECOMMENDATIONS

APPLICANT & ACCESS CHANNEL USED	APPLICANT'S REQUEST	AMOUNT RECOMMEND
City of Lansing, (28)	$3,500.00	$3,500.00
Lansing School District (40 & 41)	$6,044.00	$6,044.00
Lansing Community College (36)	$5,000.00	$5,000.00
Good News Station (39)	$6,655.00	$6,655.00
LAMAS Community Productions (37)	$1,638.00	$1,638.00
Central United Methodist Church (37)	$24,975.00	$3,000.00
South Lansing Church of Christ (37)	$3,000.00	$1,500.00
Bob Johnson (39)	$250.00	$390.00
Mt. Olive Missionary Baptist Church (37)	$3,500.00	$3,500.00
New Foundation Missionary Baptist Church (37)	$2,407.95	$369.00
New Life Christian Center (37)	$1,449.00	$750.00
Public Puppets Productions (37)	$750.00	$750.00
Producer, Hatha Yoga Show (37)	$1,310.00	$1,310.00
Betty Carter Cooney (37)	$500.00	$500.00
Ernie Culp (37)	$750.00	$741.00
"The Clinic" (37 & 39)	$839.00	$0.00
TOTAL	$62,567.95	$35,207.00

CHANNEL ASSIGNMENTS & PROGRAMMING
Channel 28—City Government
Channel 36—Lansing Community College
Channel 37—Public Access
Channel 38—Michigan State University
Channel 39—Religious Access
Channel 40—Lansing School District
Channel 41—Lansing School District
Channel 98—Michigan State University

RESOLUTIONS

Resolution #152
RESOLVED BY COMMITTEE ON PHYSICAL DEVELOPMENT,

WHEREAS the Hearthstone Community Bakery, located at 2003 E. Michigan Avenue, has requested a permit to locate tables on the sidewalk in front of this address for the purpose of a sidewalk cafe;

NOW, THEREFORE, BE IT RESOLVED that the City Council approve this request and refer the administration of this permit to the Public Service Department.

Motion by Councilmember Worthington:

Carried unanimously

Resolution #153
COMMITTEE ON PHYSICAL DEVELOPMENT

LS-1-90
500 Filley Street

WHEREAS pursuant to the City of Lansing Subdivision Regulations, being Chapter 1236 of the Codified Ordinances, Helen Madison, representing the owners Bruce and Carol Duff, has requested that the property located at 500 Filley Street, more particularly described as:

The south 260 feet of Lot 15, Assessor's Plat No. 34 of Lots 1, 2, 3 and a part of Lots 4 and 10 of Scott's Sub. on the north half of the SW ¼ of Sec. 4, T4N, R2W, City of Lansing, Ingham County, Michigan; and subject to any and all easements and restrictions of record

be divided into three (3) lots to allow the construction of two single family homes described as:

Parcel A (500 Filley Street)

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The south 120 feet of Lot 15 Assessor's Plat No. 34 of Lots 1, 2, 3 and a part of Lots 4 and 10 of Scott's Sub. on the north half of the SW ¼ of Sec. 4, T4N, R2W, City of Lansing, Ingham County, Michigan.

Parcel B (facing Taylor Street)
The north 70 feet of the south 190 feet of Lot 15, Assessor's Plat #34 of Lots 1, 2, 3 and a part of Lots 4 and 10 of Scott's Sub. on the north half of the SW ¼ of Sec. 4, T4N, R2W, City of Lansing, Ingham County, Michigan.

Parcel C (facing Taylor Street)
The north 70 feet of the south 260+ feet of Lot 15, Assessor's Plat No. 34 of Lots 1, 2, 3 and a part of Lots 4 and 10 of Scott's Sub. on the north half of the SW ¼ of Sec. 4, T4N, R2W, City of Lansing, Ingham County, Michigan. and

WHEREAS the Planning Board at their regular meeting of March 20, 1990 recommended approval of the lot division, finding the proposed development would not adversely impact the adjacent property from the standpoint of traffic and activity, would be in keeping with the established residential land use development on Filley and Taylor Streets and further, the lots created would not be out of character with lot sizes in the vicinity because of the variety of lot sizes in the area; and

WHEREAS the Physical Development Committee of the City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing concurs therewith and hereby approves the above described lot division; and

BE IT FURTHER RESOLVED that the City Clerk be, and is hereby, directed to notify the petitioner of this action.

Motion by Councilmember Worthington:

Carried unanimously

Resolution #154
L5-3-90
224 Rouse Street

WHEREAS the applicant, Dougal Kennedy, wishes to split a lot into two lots for the purpose of retaining a single family dwelling on Lot A and constructing a new single family dwelling on Lot B; and

WHEREAS the depth of Lot B as described below will be eight (8) feet less than the required 100 feet according to the subdivision regulations; and

WHEREAS the Planning Board has reviewed the proposed lot split and finds it to be similar to other lots in the area and the proposed use compatible with surrounding uses; and

WHEREAS the Physical Development Committee has reviewed the report of the Planning Board and concurs therein;

NOW, THEREFORE BE IT RESOLVED that the division of land at 224 Rouse Street be approved into Parcels A and B as follows:

Parcel A: Lot 159 except the south 80 feet thereof, Jessop's Home Gardens Subdivision, City of Lansing, Ingham County, Michigan.

Parcel B: The south 80 feet of Lots 159 and 160, Jessop's Home Gardens Subdivision, City of Lansing Ingham County, Michigan. and

BE IT FURTHER RESOLVED that the Clerk is hereby directed to notify the petitioner of such action.

Motion by Councilmember Worthington:

Carried unanimously

Resolution #155
COMMITTEE ON PHYSICAL DEVELOPMENT

LS-4-90
Northeast Corner Stafford Avenue and Jolly Road

WHEREAS David McCardel has proposed to split four (4) parcels of property located on the northeast corner of Stafford Avenue and West Jolly Road, more particularly described as:

Lots 1 and 2, Creyts Acres Subdivision and adjacent land in Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan

into six (6) lots to be developed for single family use; and

WHEREAS it is proposed that three (3) lots fronting Jolly Road be 117 feet in depth as opposed to the 135 foot minimum depth requirement established in the City Subdivision Regulations; and

WHEREAS the Lansing Planning Board has reviewed the proposed lot split and determined that the depth proposed together with the proposed development will serve to meet the intent of the subdivision regulations and is in character with surrounding development and should be approved; and

WHEREAS the Physical Development Committee of City Council concurs with the Planning Board and recommends approval;

NOW, THEREFORE, BE IT RESOLVED that the requested lot split of four (4) parcels of property located on the northeast corner of Stafford Avenue and West Jolly Road into six (6) parcels for single family development is hereby approved as follows:

Parcel A: Beginning on the north/south ¼ line of said Sec. 33 at a point 150 feet north 01° 15" west of the south ¼ corner of Sec. 33, T4N, R2W; thence north 88° 30' west, 198 feet to east line of Stafford Ave.; thence north 01° 15" west 60 feet on east line of Stafford Ave., thence south 88° 30' east, 198 feet to said north/south ¼ line; thence south 01° 15' east, 60 feet on said north/south ¼ line to point of beginning. Includes parts of Lots 1 and 2 of Creyts Acres and adjoining lands to the east of said Lots 1 and 2.

Parcel B: Beginning on the north/south ¼ line of said Sec. 33 at a point 210 feet north 01° 15" west of the south ¼ corner of Sec. 33, T4N, R2W; thence north 88° 30' west, 198 feet to east line of Stafford Ave.; thence north 01° 15" west, 60 feet on east line of Stafford Ave. thence south 88° 30' east, 198 feet to said north/south ¼ line; thence south 01°15' east, 60 feet on said N/S ¼ line to point of beginning. Includes part of Lot 2 of Creyts Acres and adjoining lands to the east of said Lot 2.

Parcel C: Beginning on north/south ¼ line said Sec. 33 at a point 270 feet north 01° 15" west of south ¼ corner of Sec. 33, T4N, R2W; thence north 88° 30' west, 198 feet to east line of Stafford Ave; thence north 01° 15' west, 60 feet on east line of Stafford Ave to NW corner Lot 2 of Creyts Acres; thence south 88° 30' east, 198 feet on

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north line Lot 2 extended east to east/west ¼ line said Sec. 33; thence south 01° 15′ east, 60 feet on said N/S ¼ line to point of beginning.

Parcel D: Beginning on north/south ¼ line said Sec. 33 at a point 33 feet north 01° 15′ west of south ¼ corner of Sec. 33, T4N, R2W; thence north 88° 30′ west, 65 feet on north line of Jolly Road; thence north 01° 15′ west, 117 feet; thence south 88° 30′ east, 65 feet; thence south 01° 15′ east, 117 feet on said north/south ¼ line to point of beginning.

Parcel E: Beginning at a point which is 33 feet north 01° 15′ west on north/south ¼ line Sec. 33 and 65 feet north 88° 30′ west on north line of Jolly Road from the south ¼ corner of Sec. 33, T4N, R2W; thence north 88° 30′ west, 60 feet on north line of Jolly Road; thence north 01° 15′ west, 117 feet; thence south 88° 30′ east, 60 feet; thence south 01° 15′ east, 117 feet to point of beginning.

Parcel F: Beginning at a point which is 33 feet north 01° 15′ west on north/south ¼ line Sec. 33 and 125 feet north 88° 30′ west on north line of Jolly Road from south ¼ corner Sec. 33, T4N, R2W; thence north 88° 30′ west, 73 feet on north line of Jolly Road to SW corner Lot 1 of Creyts Acres; thence north 01° 15′ west, 117 feet on east line of Stafford Ave., thence south 88° 30′ east, 73 feet; thence south 01° 15′ east, 117 feet to point of beginning. Includes part of Lot 1 of Creyts Acres and adjoining lands to the east of said Lot 1.

Motion by Councilmember Worthington:

Carried unanimously

Resolution #156
By The Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing has entered into an Urban Homesteading Agreement with the U.S. Deparment of Housing and Urban Development (HUD); and

WHEREAS, the Urban Homesteading Procedures approved by the Mayor on April 28, 1983, and Section 208.01 of the Code of Ordinances of the City of Lansing require City Council approval to include houses in the program; and

WHEREAS, the Grand Rapids FHA Insuring Office has indicated the availability of three properties for inclusion in the Urban Homesteading Program: 1330 Lansing Avenue legally described as Lot 469 North Highland Subdivision; 1531 Roosevelt Avenue legally described as Lot 191 Knollwood Park; and 1812 Ray Street legally described as N 33 ft of E 73.9 ft and W 36.95 ft of E 110.85 ft Lot 3 Block 3 South Park Addition; and

WHEREAS, City staff has inspected the properties located at 1330 Lansing Avenue, 1531 Roosevelt Avenue and 1812 Ray Street and has recommended their purchase for inclusion in the Urban Homesteading Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the purchase of 1330 Lansing Avenue, 1531 Roosevelt Avenue and 1812 Ray Street, with Section 810 funds, be and is hereby approved.

Motion by Councilmember Worthington:

Carried unanimously

Resolution #157
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District 3 on property at 5511 Enterprise Drive, more fully described on Attachment A; and

WHEREAS, Ameritainer, Inc. has applied for an Industrial Facilities Exemption Certificate for the installation of new manufacturing equipment at 5511 Enterprise Drive; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Ameritainer's application for an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, April 23, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Motion by Councilmember Adado:

Carried unanimously

Resolution #158
1990 NATIONAL COMMUNITY DEVELOPMENT WEEK RESOLUTION

WHEREAS the week of April 7-14, 1990 has been designated as National Community Development Week and Lansing, Michigan is a participant in the Community Development Block Grant (CDBG) program which funds a myriad of housing programs in our community, and

WHEREAS in Lansing, and in communities throughout the nation, sixteen years of Community Development Block Grant program funding has developed a strong working network of relationships between our city government, residents of Community Development target neighborhoods and several nonprofit agencies which provide services and help make possible our commitment to those neighborhoods, and

WHEREAS Lansing recognizes that the Community Development Block Grant program is a partnership of Federal, local government, nonprofit and neighborhood efforts, and that the services funded by the Federal CDBG program, administered by the local government and often delivered by local nonprofit organizations, relies heavily on the dedication and goodwill of our combined efforts,

THEREFORE BE IT RESOLVED that during National Community Development Week '90, Lansing, Michigan will give special thanks and recognition to all participants whose hard work and devotion to the neighborhoods help insure the quality and effectiveness of the Community Development Block Grant program, and

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BE IT FURTHER RESOLVED that the Mayor and City Council of Lansing, along with the service providers and others whose names are appended to this resolution, hereby petition the U.S. Congress and Administration to recognize theoutstanding work being done locally and nationally by the Community Development Block Grant program, its vital importance to the community and to the people who live in its lower income neighborhoods, and

BE IT FURTHER RESOLVED that copies of this resolution be conveyed to the appropriate elected and appointed officials in the Federal government and that this community's name, and the names of its nonprofit service providers, be added to the roll of those committed to the preservation and full funding of the Community Development Block Grant and maintenance of its essential features over the course of the next Congress.

Motion by Councilmember Adado:

Carried unanimously

Resolution #159
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby agrees to co-sponsor the Earth Day celebration scheduled for April 21 and 22, 1990, and to assume the costs of Riverfront Park for this event in an amount not to exceed Five-hundred dollars ($500).

Motion by Councilmember Benavides:

Carried unanimously

Resolution #160
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-017 which authorizes the installation of a stop sign on Washtenaw Street at the intersection of Pine Street.

Motion by Councilmember Crawford:

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Letters regarding Special Assessment Roll No. B-30 from:
-Don and Joan Recchy of 1616 James Street
-James Smith of 300 S. Larch
-Roberto Barajas of 413 Monroe
-Mr. & Mrs. Ricardo Sauceda of 1812 New York
-Jack Schineman of 1620 James Street
-Mary Barlow of 6070 Columbia Street, Haslett

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PHYSICAL DEVELOPMENT; COPY TO COUNCIL STAFF

2/ Resolution from the Committee on Public Safety regarding Traffic Control Order No. 90-017: Installation of a Stop Sign on Washtenaw Street at the Intersection of Pine Street (See Resolution # 160)

3/ Letters supporting Recycling Program from:
-Thomas Walsh of 1515 W. Mt. Hope Avenue, Suite 5
-Barbara Thomsen of 1241 Climax
-Mrs. Jack Good of 2618 Dunbar Drive
-Janette Trachsel of 3333 Moores River Drive #705
-Jaunette Englesfield of 311 S. Jenison
-H. Sneider (no street address given)

REFERRED TO THE INTERGOVERNMENTAL RELATIONS COMMITTEE

4/ Letters regarding the proposed cat ordinance from:
-Donald Lancour of 3908 Alpha
-Charles Haynes of 305 N. Foster

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

PUBLIC COMMENTS

Muhammed Frank Curtis spoke in opposition to the police barricades set up in the West Side Neighborhood.

William Saites, owner of West Side Deli, spoke in opposition of the licensing of food vendors downtown.

Leonard Burns, owner of Kelly's Downtown, requested the Council to not make any increases in the number of licenses for food vendors downtown.

The owner of the Parthenon spoke in opposition to the licensing of food vendors downtown.

J. L. Engmark of 737 Comfort Street stated that he was happy that the proposal to change Fire Station #7 to a police sub-station was removed during budget hearings. He stated that members of the neighborhood feel very strongly that this Fire Station should remain.

Todd Behaitz, a downtown food vendor, spoke in support of the licensing of these vendors.

Dimitri Stathupoulos, owner of Dimitri's, opposed the licensing of food vendors downtown.

George Potter of 1619 S. Pennsylvania Avenue stated that he was pleased with the recommendation of the Mayor regarding the handling of the S. Pennsylvania median strip.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

The Mayor had no remarks.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt updated Councilmembers about a meeting at Maplewood Schools regarding the widening of Cedar Street.

Councilmember Benavides mentioned a serious accident that had occurred at Hughes Road South of Jolly Road and requested

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police department control for this area. Councilmember Benavides expressed his thanks to everyone who sent in letters of support for the recycling program. He mentioned that the meeting of the Committee on Ways & Means will not be meeting on April 10, 1990 but will have a brief meeting at 6:00 P.M. on April 16, 1990 prior to the Council meeting.

Councilmember Ford thanked the Mayor for the quick response in establishing police barricades in the West Side Neighborhood. He stated that this is not a total answer and that residents of this area are interested in seeing the community police bus in this area and in possibly establishing a police sub-station in the Kingsley Community Center. He also asked the Mayor why the summer hours at the Kingsley Community Center had been cut with the need for more activities for youths in this area. The Mayor responded that he met with the Parks Board and the Parks Director and asked them to submit a re-evaluation of these early closings.

Councilmember Adado wished everyone a Happy Easter.

Council President Belen stated that during this Holy Season, she hoped everyone would try to make contributions to the Food Bank.

COUNCIL PRESIDENT BELEN:

Council adjourned at 9:00 P.M.

James D. Blair, City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 16, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
April 16, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by Vice President Adado.

PRESENT: Councilmembers Adado, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Council President Belen

The Invocation and Pledge of Allegiance were given by Councilmember Lindemann.

Motion by Councilmember Schmidt to accept the printed Council Proceedings for March 26, 1990.

Carried unanimously, Councilmember Belen absent.

By Councilmember Schmidt:

That we suspend the rules to accept the following:

1/ A letter from Pat McKinley of 1901 Moffitt requesting a 4-way stop at the intersection of Moffitt and Hughes Streets

2/ A request from Councilmember Lindemann to allow members from Citizens for Public Recycling to address the Council after any public hearings

3/ Two resolutions for transfers of funds

4/ A request from Councilmember Lindemann to allow Mrs. Kruger to address the Council as part of Special Ceremonies

5/ A letter from Ronald Cole, Block Captain and Assistant Co-ordinator in the Maplewood Area, requesting action on trash in back of 1808 Maplewood

6/ A resolution requesting non-profit status for Sixty Plus, Inc.

Carried unanimously; Councilmember Belen absent.

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

Under suspension of the rules, members of Citizens for Public Recycling requested the support of the Council for public ownership of the Lansing recycling effort. Speakers included Howard Jones, Marilyn Shapiro and Sue Eby.

PUBLIC COMMENTS

There were no public speakers

SPECIAL CEREMONIES

The Mayor introduced Mrs. Valerie Kruger who addressed the Council, regarding Grand River-Expedition 90 Plans as part of this year's Riverfest activities.

Emerson Ohl introduced John Hannasack, District Director of Michigan Business Magazine. Mr. Hannasack presented members of Council and the Mayor with copies of an issue of Michigan Business Magazine which featured Lansing.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council Vice President.

Carried unanimously; Councilmember Belen absent.

A. Letter from Dianne Dreffs of 213 S. Hayford protesting special sidewalk assessment

REFERRED TO THE CITY ATTORNEY

B. Petition received requesting Construction of a Curb & Gutter and Storm Sewer on Bliesener Street from Pheasent Avenue to Dead End

REFERRED TO THE MAYOR AND THE
COMMITTEE ON PHYSICAL DEVELOPMENT

C. Letter from Consumers Power Company enclosing their Condition 11 Application under Protest

RECEIVED AND PLACED ON FILE

D. Letter from Jean Findlay of the Federal Department of Health & Human Services regarding a Survey which will occur in Ingham County

RECEIVED AND PLACED ON FILE

E. Letter from Mel Ravitz, Councilmanfrom Detroit, including a copy of Resolution passed by the City regarding President Bush's 1990-91 Budget

RECEIVED AND PLACED ON FILE

F. Letter from George Goodman of the Michigan Municipal League providing information about the Annual Convention of the League scheduled for September 12-14, 1990

REFERRED TO THE COMMITTEE OF THE WHOLE

G. Letter from Richard Brown, Services Coordinator for the Eaton County Drain Commissioner, informing of a Notice of Order Designating a Drainage District which will result in Special Assessments being Levied to Concord Village No. 7 Subdivision

REFERRED TO THE MAYOR

H. Cards and letters received from the following urging support of

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the recycling program:

-Constance Peakes of 434 N. Hayford
-Barbara Burns-Briggs of 6815 Reno Street
-Nancy Tomboulian of 6288 Haag
-B. Campbell of 202 Horton
-Carol Moore of 545 Maplehill
-Gail Ashley of 527 N. Magnolia

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE

I. Letter from Carmela VanBuskirk of 2455 Webster supporting the Removal of the Median on South Pennsylvania

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

J. Unsigned Letter received protesting City's Lack of Support for Landlords Rehabilitating Older Buildings

RECEIVED AND PLACED ON FILE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

The Mayor discussed his letter 3A regarding the mall maintenance assessment policy and letter 3B regarding the homestead purchase of 1715 Linval.

REPORTS OF CITY OFFICERS AND BOARDS

1. Letters from City Clerk submitting routine applications for action on licenses and bonds:

A. APPROVALS:

Resolution #161
April 16, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. There are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Steven Buerger, Dereld Ruffin, Allen McGrew, Jr., James Myers, Paul E. Cassel, James Edward Simpson, Joshua A. Duane, Trevor Leasure, Curtis Jackson, Robert Troub

SIGN ERECTOR: A & A Sign

BUILDING WRECKER: Bierlein Industrial Services, Inc., Ace Wrecking Company

WRECKER SERVICE: M. R. Kessler, Jr., William Deudinger

CABARET LICENSE: Parthenon Restaurant & Bakery

RUBBISH HAULER: Michigan Waste Systems, Donald Babcock

VEHICLES FOR HIRE: Lansing Limousine Service

PEDDLER'S LICENSE: Carlton D. McConnell

Sincerely,
James D. Blair
City Clerk, City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, that the recommendations of the Clerk be approved.

Carried unanimously; Councilmember Belen absent.

2. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes of the Proceedings of April 9, 1990 for Review

RECEIVED AND PLACED ON FILE

3. Letters from the Mayor re:

A. Recommendation by the Mall Advisory Board regarding Maintenance and Special Assessments

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

B. Recommendation for Homestead Purchase of 1715 Linval

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Recommendation for ACT-14-89 Forbes and Inverness Alley Vacation

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Sidewalk Improvements, P. S. #57055

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS & MEANS

COMMITTEE REPORTS

There were no Committee reports

RESOLUTIONS

Resolution #162
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charles A. Wilkinson has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that six or more points for moving traffic violations were at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) B of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

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BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-4-84; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, April 30, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Belen absent

Resolution #168
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the annual budget process requires input from the citizens of Lansing; and

WHEREAS, a copy of the Mayor's budget recommendation is on file with the City Clerk and available for public review; and

WHEREAS, the Mayor has recommended maintaining the existing operating tax levy of 13.40 mills; and

WHEREAS, the City Assessor has calculated that the City's base millage rate, after allowing for additions and deletions to State Equalized Valuation, subsequent to Board of Review action, and as required by Public Act 5 of 1982, would be 12.9156 mills; and

WHEREAS, through City Council's review of the Mayor's recommendations and citizen comments on community needs through its budget deliberation process, the City Council has identified significant infrastructural and operational needs deemed essential to City operations and the health, safety, and quality of life of Lansing's residents; and

WHEREAS, these needs include improvements to roads and sewers, replacement of fire and communications equipment, and the opportunities to leverage local dollars for recreational improvements and opportunities through available State Grant funding; and

WHEREAS, the Council continues to review its funding options in regard to these needs, but is required by Public Act 5 of 1982 to provide notice and the opportunity for public comment on the maximum operating tax rate which is proposed to be levied for the upcoming fiscal year; and

WHEREAS, separate public hearings are also needed to receive public comment on the City's FY 1990-91 budget, its Community Development Block Grant allocation, and its Capital Improvements Budget;

NOW, THEREFORE, BE IT RESOLVED that the Mayor has proposed to restore .4844 mills to maintain the City's current operating tax levy, and that the City Council proposes to potentially add up to a maximum of 2.5 mills to meet the City's infrastructural, capital, and operational requirements, for a total of 15.90 mills; and

BE IT FURTHER RESOLVED that a Public Hearing in regard to this proposed rate be set for Monday, May 7, 1990 at 7:00 p.m., in the l0th floor City Council Chambers; and

BE IT FURTHER RESOLVED that the Public Hearing for the 16th year Community Development Block Grant allocation, including reprogrammed funds from previous years, will also be held on Monday, May 7, in the City Council Chambers at 7:00 p.m., and

BE IT FINALLY RESOLVED that the Public Hearing for the City of Lansing's FY 1990-91 operating and capital improvements budgets will also be held on Monday, May 7, 1990 in the City Council Chambers, at 7:00 p.m.

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Belen absent

Resolution #170
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$22,500.00 from District Ct.-Budget Control Acct.
A/C 760-132201-992200-00000
22,500.00 to Admin. Serv.-Budget Control Acct.
A/C 101-173101-992200-00000
(Cost of installing wiring to handle Court automated systems (District Court, Probation, and City Attorney's Offices). (101-173140-746300-0)

$15,000.00 from Res. for Conting.—Control Acct.
A/C 101-173901-992200-13055
15,000.00 to Admin. Serv.-Budget Ctrl.
A/C 101-173101-992200-00000
(Replacement of a hoist at Central Garage which is out of service and cannot be repaired. To 101-173150-746200-0)

The Balance in the Reserve for Contingency Fund after this transfer is $395,175.00.

Submitted by:
Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte
Director of Finance/City Controller

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Belen absent

Resolution #171
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$34,490.00 from Parks & Rec. Budget Ctrl.
A/C 101-783860-992200-00000
34,490.00 to Cap. Imp. Prog.—Budget Control
A/C 101-933901-992200-13001
(Cost increases for City Market renovations due to buried footings and need to correct sanitary sewer to sanitary system. To 101-933890-975000-13044.)

$5,250.00 from Fin.-Budget Ctrl.Acct.
A/C 101-173701-992200-00000

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5,250.00 to Admin. Serv.-Budget Ctrl.Acct.
A/C 101-173101-992200-00000
(Purchase of IBM Personal Computer, printer, and software for new City Assessor. (To memo accounts 101-173130-743000-0 ($1,000) and 101-173130-977000-0 ($4,250).

Submitted By:
Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte
Director of Finance/City Controller

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Belen absent

Resolution #172
BY COUNCILMEMBER WORTHINGTON:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS Sixty Plus, Inc. has requested non-profit status

NOW, THEREFORE be it resolved the City Council of the City of Lansing hereby recognizes Sixty Plus, Inc. as a non-profit organization

By Councilmember Worthington:

Carried unanimously; Councilmember Belen absent

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-3-90—610 East Sheridan Road to be rezoned from "A" Residential District to "C" Residential District

was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

Resolution #169
Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 7, 1990 at 7 p.m. in the Tenth Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-3-90—610 East Sheridan Road to be rezoned from "A" Residential District to "C" Residential District.

Motion by Councilmember Benavides:

Carried unanimously; Councilmember Belen absent

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-23-89—1124 East Mt. Hope Avenue to be rezoned from "J" Parking District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

Carried unanimously; Councilmember Belen absent.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-23-89—1124 East Mt. Hope Avenue to be rezoned from "J" Parking District to "F" Commercial District be now passed.

YEAS: Adado, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Belen

ORDINANCE #2312
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-23-89, 1124 East Mt. Hope Avenue

Parcel Number: 3301-27-127-362

Legal Description: Commencing 321.5 feet west of the northwest corner South Gardens #1 Sub.; thence south parallel to the west line of South Gardens #1 Sub. 105 feet; thence west 87.25 feet; thence north parallel to the west line of South Gardens #1 Sub. 105 feet; thence east 87.25 feet to point of beginning, City of Lansing, Ingham County Michigan.

From "J" Parking District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS, IF ANY

1/ A letter from Pat McKinley of 1901 Moffitt requesting a 4-way stop at the intersection of Moffitt and Hughes Streets

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, April 23, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
April 23, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation was given by Mayor Terry J. McKane

The Pledge of Allegiance was led by a Color Guard from Boys & Girls Club of Lansing.

Mayor McKane presented a proclamation to the Color Guard recognizing the week of April 23-28, 1990 as Boys and Girls Club Week.

Mayor McKane then recognized several young people from the Lansing area who had made contributions to the community. This recognition was part of a proclamation for National Youth Services Day.

Mayor McKane introduced Ralph Monsma, Councilmember from the City of East Lansing, who discussed work being done in that community regarding National Youth Services Day.

Council President Belen presented Don Nobach with a resolution honoring Earth Day, 1990.

Motion by Councilmember Adado to accept the printed Council proceedings for April 2, 1990.

Carried unanimously.

By Councilmember Schmidt:

That we suspend the rules to accept the following:

1/ To include a proposed resolution for the Forest Road Scenic Corridor with the public hearing and refer them both to the Committee on Physical Development.

2/ A resolution establishing three assessment districts for Washington Mall maintenance, requesting preparation of a special assessment roll and setting a public hearing for May 7, 1990.

3/ A letter from a concerned citizen regarding property at 720 Jessop Avenue.

4/ A letter from Peter Pasterz of Recyclers of Ingham, Eaton and Clinton Counties providing some pricing on recycling equipment and other items.

5/ A petition received from residents of the Eastside Community Policing Project requesting barricades in their area.

6/ A letter from Mary Margaret Woll, President of the Eastside Neighborhood Association, supporting the request for barricades submitted by the Eastside Policing Project.

Carried unanimously.

SCHEDULED PUBLIC HEARINGS

A. April 23, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing to consider the designation of Forest Road as a Scenic Corridor under Chapter 1032 of the Code of Ordinances.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed designation, they would have the privilege of speaking at this time.

Delores Maidlow of 2806 Forest Road and Len Stuttman of 2331 Forest Road spoke in support of the Scenic Corridor.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. April 23, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing to consider approval of an Industrial Facilities Exemption Certificate for Amertainer, Inc.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed approval, they would have the privilege of speaking at this time.

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

PUBLIC COMMENTS

Bob Rigelman stated that he was present to answer any questions regarding Agenda Item XII-DI. Councilmember Ford asked Mr. Rigelman if he had a title search done before he purchased the property in question. Mr. Rigelman responded that he had received a title search and that it showed no encumbrances.

The following spoke in support of the removal of the median on South Pennsylvania Avenue:

-Kevin Reynolds
-Don Blacker of His Auto Service
-Eric Hassett of 1612 S. Pennsylvania
-Laurie Gardner of 1424 S. Pennsylvania
-Stan Brauer of 1815 S. Pennsylvania
-Chris Kine of 1705 S. Pennsylvania
-Crystal Goodman of 1445 E. Grand River
-Robert Elliott of 1808 and 1812 S. Pennsylvania
-William Nakfoor
-Frank Schmidt of 1414 Lindbergh Drive
-Jim Schmidt of 1800 S. Pennsylvania

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-one other who did not sign in

The following spoke in support of leaving the median on South Pennsylvania Avenue:

-Nancy Mummaw of 1609 S. Pennsylvania
-George Potter of 1619 S. Pennsylvania
-three others who did not sign in

SPECIAL CEREMONIES

The Agenda items shown for Special Ceremonies were moved up to after the Pledge of Allegiance by motion from Councilmember Adado which was unanimously carried.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

A. Letter from Paul Goode, City Manager of Williamston, requesting release of Midway Engraving's employment to the City of Williamston allowing them to apply for a tax abatement within the City of Williamston.

REFERRED TO THE MAYOR AND THE COMMITTEE ON ECONOMIC DEVELOPMENT

B. Letter from Bob Carr, 6th District US Representative, informing Council of H.R. 3 which would provide a comprehensive child care program.

RECEIVED AND PLACED ON FILE

C. Letter from Bryan Morris, District Supervisor of DNR, enclosing the City's National Pollutant Discharge Elimination System Permit.

REFERRED TO THE MAYOR

D. Letter from Consumers Power Company enclosing a Notice of Hearing on the "Condition II Application under Protest"

RECEIVED AND PLACED ON FILE

E. Letter from Consumers Power informing of a Public Hearing set for April 30, 1990 regarding Surcharges to be Assessed to Support the Cost of the Energy Assistance Program

RECEIVED AND PLACED ON FILE

F. Letter from Phyllis Ireland of 1913 Vermont Avenue protesting the cost of the sidewalk assessment

REFERRED TO THE CITY ATTORNEY

G. Letter from Consumers Power informing of a Public Hearing set for May 4, 1990 regarding their request to directly bill non-system transportation customers for gas pipeline take-or-pay costs

RECEIVED AND PLACED ON FILE

H. Letter from Brent Granger of Granger Recycling Center providing some pricing on recycling options

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE

I. Letters and postcards received requesting support of recycling received from:

-Susan Pokrefky of 517 Shepard
-Judy & Gary Rettenburg and Chad Mosier (no address)
-Mike Oswalt of 1215 Weber Drive, # 1
-Barbara Schillo of 2705 Woodruff Ave. #2
-Tom & Carol Stanton of 701 McKim Avenue
-Iris Beach of 119 Vickie Court, Apt. # 6

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE

J. Letter received from Harriet Eno of 3677 Trianon Trail opposing the removal of the median on S. Pennsylvania

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

K. Letter from Mary Margaret Woll, President of the Eastside Neighborhood Organization, expressing concern over the proposed closing of Foster Community Center in the evening hours this summer

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICE

L. Letter from Lori Lancour of 2735-1A Trappers Cove opposing the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

M. Letter from Billie & Chester Wright of 1214 Center Street informing of efforts they have made to help clean up North Lansing

REFERRED TO THE MAYOR

N. Letter from D. E. Wilcoxon-Ashworth, Supervisor of National Advertising Company, regarding the proposed change to the Sign Ordinance

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

O. Letter from Howard Wolpe, Third District US Representative, informing of the passage of H.R. 3581 (Rural Development Act)

REFERRED TO THE MAYOR AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE

P. Notice of Flood Plain Permit Granted to Olympic Broil, 1320 North Grand River Avenue

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

The Mayor discussed letters 3, 4, 5, 8, 10, 11 and 19 on tonight's Agenda.

REPORTS OF CITY OFFICERS AND BOARDS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

Resolution # 173
April 23, 1990
President Belen and Members of the Lansing City Council

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10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Paul Adam Wokas, Hector Luis Muriel, Philip Henry Post, Mathew Paul Franks, Richard Michael Balogh, Michael Joseph Dumeney, Cheryl Swick, Kenneth Ebright, Bennett W. Hart, Stephen Henry Beukema, Robert J. Bute, Marvin Hector, Kenneth Louis Robinson, Robert Ray Brown, Javier Cavazos, Chris Allen Funnell, Edward Henry Garvey, Eugene Frarey Walter, Daniel Allen Garza
BUILDING WRECKER: E. T. MacKenzie Company, Bierlein, Demolition Contractors, Inc.
WRECKER SERVICE: Shroyer s & Central Towing, Inc.
RUBBISH HAULER: Laurence Williams
VEHICLES FOR HIRE: Yanks Inc. dba Yellow Cab Co.
AUCTIONEER: Bernie Ahearn
POOL/BOWLING ALLEY: Pockets of Michigan, Inc.
SECOND HAND DEALER: Julianne Louise Kelley
LIQUOR LICENSE: Cascarilla Enterprises/Geller's

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously

2. COUNCIL REFERRALS:

April 23, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear Councilmembers:

Attached herewith are applications for Public Drivers Licenses returned unsigned from the Lansing Police Department for:

Anarion Frazier under Section 872.23 (b) 3 (b)
Kenneth Wayne Green under Section 872.23 (b) B
Dale Douglas Parham under Section 872.23 (b) B

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

REFERRED TO THE CITY ATTORNEY

B. Letter from the City Clerk notifying Councilmembers of the availability of Minutes from the Council Proceedings of April 16, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1.
Resolution #174
PUBLIC IMPROVEMENT III

RESOLVED, by the City Council of the City of Lansing

That the Special Assessment Roll for the construction of sanitary sewer on N. Cedar Street, PS 16046,

ASSESSMENT ROLL #317
PROPERTY BENEFITED: All lands fronting on N. Cedar Street from E. Howe Street to E. Paulson Street, excepting all public streets and alleys and other lands deemed not benefited.

be revised and the estimated cost of said improvements be based on construction bids as follows:

PUBLIC IMPROVEMENT	CITY SHARE	ASSESS. TO PRP. OWNERS	TOTAL PROJ. COST
Sanitary Sewer	3,369.09	14,599.66	17,968.75
House Leads	—0—	1,897.50	1,897.50
Sanitary Totals	**3,369.09**	**16,497.16**	**19,866.25**
Storm Sewer	11,165.35	—0—	11,165.35
TOTALS	**$14,534.44**	**$16,497.16**	**$31,031.60**

That said revised estimated cost returned by the Public Service Department be received and placed on file, and the City Clerk be directed to publish a notice thereof in a local newspaper five days in accordance with Chapter 1026 of the Code of Ordinances.

RESOLVED FURTHER, that the City Council will meet at the Council Rooms on Monday, May 14, 1990 at 7:00 P.M. for the purpose of reviewing said assessment roll.

Let it be known any person who wishes to protest this special assessment must appear and protest at the special assessment hearing in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required. The City shall maintain a record of the parties who appear to protest at the hearing. If a hearing is terminated or adjourned on the day before a party is provided the opportunity to be heard, a party whose appearance was recorded is considered to have protested the special assessment in person.

I hereby certify that funds are available for the City of Lansing's share of said project as follows:

Sanitary Sewer	590 453670 973000 20100	$ 3,369.09
Storm Sewer	591 453682 973000 23000	$11,165.35

and the sanitary sewer assessment from the following account:

Assessed Sanitary	404 933601 974100	16,497.16

Charles S. Remenar, Deputy City Controller

By Councilmember Benavides:

Carried unanimously; Councilmember Worthington absent during vote

2.
Letter of Appreciation from Deborah Johnson, Lansing Community College Foundation, for Approval of Michigan Equity Funds

RECEIVED AND PLACED ON FILE

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3.
Resolution #175
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: April 17, 1990
SUBJ: Trash Violation Fee (V-20)—$2,185.77

The attached assessments for trash removal are being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the assessments be approved.

Carried unanimously; Councilmember Worthington absent during vote

4.
Resolution #176
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: April 17, 1990
SUBJ: Trash Violation Fee (V-20)—$2,560.07

The attached assessments for trash removal are being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the assessments be approved.

Carried unanimously; Councilmember Worthington absent during vote

5.
Resolution #177
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: April 17, 1990
SUBJ: Trash Violation Fee (V-20)—$1,495.27

The attached assessments for trash removal are being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Resolution by the City Council, City of Lansing, that the assessments be approved.

Carried unanimously; Councilmember Worthington absent during vote

6. Public Improvement II—For Construction of Curb and Gutter, Storm Sewer and Sanitary Sewer on Jolly Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Recommendation regarding Edgewood Boulevard-Cedar Street Area Sidewalk

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Resignation of Bernard N. Christy from the Board of Zoning Appeals

RECEIVED AND PLACED ON FILE

9. Support of Request for Public Hearing for Demolition or Make-safe of 1223 Shepard and 2816 W. Miller Road

RECEIVED AND PLACED ON FILE

10. Recommendation regarding Homestead Purchase 319 West Kilborn

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

11. Final Statement of Community Development Objectives and Projected Uses of Funds for Fiscal 1990-91

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

12. Tax Abatement Review—IPR-3-90 Ameritainer, Inc.

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT & THE COMMITTEE ON WAYS AND MEANS

13. Recommendation prohibiting Parking on Gary Avenue South of Douglas Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14.
Resolution #178
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: April 18, 1990
SUBJ: Parking Regulations: Michigan Avenue

The attached recommendation from the Traffic Board is being submitted with my concurrence for your review and appropriate action.

By Councilmember Crawford:

Resolved by the City Council, City of Lansing, to introduce an Ordinance to consider amending the Traffic Code regarding parking regulations on Michigan Avenue and to set a public hearing for May 14, 1990.

Carried unanimously; Councilmember Worthington absent during vote.

15. Recommendation to Deny the Request for a Four-Way Stop at Hunter Blvd. and Southgate Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

16. Recommendation to Deny Request for a Multi-Way Stop at Hunter Blvd., Maplehill Dr., and Parkway Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

17. Recommendation to Limit Speed for Forest Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

18. Barricade Report for April 6-11, 1990

RECEIVED AND PLACED ON FILE

19. Recommendation for Appointments to Westside Citizens District Council

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REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

20. Z-4-90—4200-4220 South Cedar Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

21. Z-6-90—100/200 Blocks Friendship Circle

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

22. SLU-3-90—100/200 Blocks Friendship Circle

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

23. LS-5-90—817 West Northrup Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

24. LS-2-90—805/807 and 809/811 Chicago Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

25. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

Resolution #179
SIDEWALK RESOLUTION

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity; and

WHEREAS, it is a matter of public necessity to repair sidewalk in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: All lands bounded by Lindbergh Dr., Mt. Hope Ave., Sunnyside, Lincoln, Clifton, Healthcare Ct., and Pennsylvania. Also all land bounded by Mt. Hope, S. Cedar, Hamilton and 1-block East of Cedar. Excepting all public streets and alleys and other land deemed not benefitted;

NOW, THEREFORE, BE IT RESOLVED that the construction of these improvements known as 1989 SIDEWALK REPAIR CONTRACT #1, P.S. #57055, PART II (FILES C & D) is hereby ordered; and

BE IT FURTHER RESOLVED that owners of said described lands are hereby required to commence construction within twenty (20) days from the date of notification in accordance with Chapter 1024.04 of the Code of Ordinances; or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Chapter 1024.05 of the Code of Ordinances. The expense of constructing the sidewalk shall be paid out of the Special Assessment Fund and Series 1987 Street Bond Issue; and

BE IT FURTHER RESOLVED that the City Assessor be, and is directed to make a special assessment roll, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 and 1026.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Worthington:

Carried unanimously

Resolution #180
PUBLIC IMPROVEMENT I

By Committee on Physical Development

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That it is hereby determined to be a matter of public necessity to construct the following improvements as part of the AURELIUS ROAD RECONSTRUCTION PHASE 11, PS 87063, and that the construction of said improvements is hereby ordered:

DELL ROAD CURB & GUTTER (Both sides) from Aurelius Road to west end of street.

(Storm and Sanitary Sewers on Dell Road were ordered 3/14/88).

DELL ROAD STORM SEWER from Floyd Street to the west end.

AND FURTHER, that a storm sewer district known as the STIMSON DRAIN ASSESSMENT DISTRICT (the same as established by the Ingham County Drain Commission) shall be established that will include the following properties not previously ordered:

DELL ROAD (both sides) from Floyd Street to the west end.

KINGDON AVENUE (east side only) from 600 ft north of Willoughby Road (#6931 Kingdon) to the north end of the street. (including #6645 Kingdon).

WILLOUGHBY ROAD (north side only) from Aurelius Road west 450 ft. (1921 Willoughyby through 1947 Willoughby).

AND THAT the estimated cost of these improvements shall be financed by special assessment to the benefitted property owners and the City's share from Accounts (curb and gutter) 403 933601 974100 42101 and (storm) 401 933615 973000 41413, and

BE IT FURTHER RESOLVED that the Department of Public Service is hereby directed to prepare as far as necessary, plans and specifications for such project, and is further directed to estimate in detail the cost of said project and furnish said information to the Council.

By Councilmember Worthington

Carried unanimously

Resolution #181
PUBLIC IMPROVEMENT II

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing, that the

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plans and specifications returned by the Department of Public Service known as Aurelius Road Reconstruction Phase II, PS 87063, in pursuance of the resolution of this council.

Resolution Date 6/27/88
PS 87063
Sanitary Sewer
PROPERTY BENEFITED: All lands fronting on the west side of AURELIUS ROAD from I-96 south to the N. line of South Pines Subdivision and from the S. line of South Pines Subdivision to Willoughby Road.

And all lands fronting on DELL ROAD from Aurelius Road to the west end of street.

Resolution Date 6/27/88
PS 87063
Storm Sewer
PROPERTY BENEFITED: All lands fronting on AURELIUS ROAD from I-96 to Willoughby Road. All lands fronting on DELL ROAD from Aurelius Road west to Floyd Street.

Resolution Date 4/16/90
PS 87063
Storm Sewer
PROPERTY BENEFITED: All lands fronting on DELL ROAD FROM Floyd Street to the west end. All lands fronting on the east side of KINGDON AVENUE 600 feet north of Willoughby Road (#6931 Kingdon) to the north end of the street. (Including #6645 Kingdon).

Resolution Date 6/27/88
PS 87063
Curb & Gutter
PROPERTY BENEFITED: All lands fronting on the west side of AURELIUS ROAD from I-96 to Willoughby Road.

Resolution Date 4/16/90
PS 87063
Curb & Gutter
PROPERTY BENEFITED: All lands fronting on DELL ROAD, both sides, from Aurelius Road to the west end.

And excepting all public streets, alleys and other lands deemed not benefited.

NOTE: The establishment of the Stimson Drain Assessment District by Council Resolution dated 4/16/90 includes certain lands on Kingdon Ave. that do not front on either Aurelius Rd. or Dell Rd.

The Engineer's estimated expense of said improvement is as follows:

ROLL 318

	CITY SHARE	ASSESS. TO PRP. OWNERS	TOTAL PROJ. COST
San. Sewer	3,277.50	158,655.45	221,990.25
Sanitary Sewer Assessable to Delhi Twp.			60,057.30
Storm Sew.	96,036.06	121.157.11	217,193.17
Curb & Gutter	56,222.58	60,611.67	116,834.25
Road Constr.	556,097.45	—	556,097.45
Delhi Twp. San. Connection Fee	(25 ea x 1100)	27,500.00	27,500.00
TOTAL	**711,633.59**	**367,924.23**	**1,139,615.12**

		Account Number
City Share San. Sewer	$3,277.50	590 453670 973000 20100
City Share Stm. Sewer	96,036.06	401 933615 973000 41413
City Share C&G	56,222.58	403 933601 974100 42501
Road Construction	556,097.45	403 933601 974100 42501
Delhi Sanitary	60,057.30	From Delhi Twp.
Assess. Roll #318	367,924.23	404 933601 974100 12053

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installation rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

DEPUTY CITY CONTROLLER

By Councilmember Worthington:

Carried Unanimously

Resolution #182
BY THE PHYSICAL DEVELOPMENT COMMITTEE

WHEREAS, certain property owners and citizens have petitioned the City of Lansing for removal of the median on Pennsylvania Avenue between Mount Hope Avenue and Fayette Drive; and

WHEREAS, the Administration has surveyed all property owners in the area and studied the issue of median removal; and

WHEREAS; the Administration has recommended retaining the full width sections of the median and removal of the narrow sections of the median; and

WHEREAS, the Physical Development Committee has reviewed the Administration's recommendation and finds the recommendation to be consistent with the desires of the majority of the property owners on Pennsylvania Avenue;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the Administration's recommendation to remove the narrow sections of the median on Pennsylvania Avenue between Mount Hope Avenue and Fayette Drive in accordance with the attached plan.

BY Councilmember Worthington:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Worthington

NAYS: Lindemann

ABSTAINING: Schmidt

Councilmember Adado asked several questions about Resolution #182 before its passage. Howard McCaffrey and Councilmember Worthington responded to these questions.

Councilmember Benavides stated that he was voting in support of the resolution as he felt that the majority of the residents of South Pennsylvania Avenue did not support the removal of the median.

Councilmember Lindemann asked several questions about the difference in grade levels of the road at Main and Hazel and whether or not the Public Service Department would be mowing the median and planting any trees on the median. Howard McCaffrey responded to these questions.

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Councilmember Schmidt requested that she be excused from the vote on resolution #182.

Councilmember Benavides moved to excuse Councilmember Schmidt from the vote. Carried unanimously.

Resolution #183
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing has entered into an Urban Homesteading Agreement with the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Urban Homesteading Procedures approved by the Mayor on April 28, 1983, and Section 208.01 of the Code of Ordinances of the City of Lansing require City Council approval to include houses in the program; and

WHEREAS, the Detroit Veteran's Administration has indicated the availability of a property for inclusion in the Urban Homesteading Program: 1715 Linval Street legally described as Lot 105 Torrance Farm Addition; and

WHEREAS, City staff has inspected the property located at 1715 Linval Street and has recommended its purchase for inclusion in the Urban Homesteading Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the purchase of 1715 Linval with Section 810 funds, be and is hereby approved.

By Councilmember Worthington:

Carried unanimously

Resolution #184
COMMITTEE ON PHYSICAL DEVELOPMENT
Act-14-89
Vacate Alley
Between Forbes and Inverness

WHEREAS the Parks and Recreation Department and the Assessor's Office have requested that the public alley that runs between Forbes and Inverness, and more particularly described as:

The Alley in McPherson's Re-Plat of Lots 16 to 45 Inc. McPherson's Inverness Subdivision City of Lansing as recorded Liber 15, Page 24

be vacated, and

WHEREAS upon examination it was found that this is a platted alley that must be vacated by the City and cannot be sold, and

WHEREAS this vacation proposal was examined under Act 285, P.A. 1931, according to location, as well as character and extent, and

WHEREAS it was found that the alley is not used for public purposes and has not been used for public purposes for many years, and

WHEREAS no public agency expressed an interest in retaining the alley, and

WHEREAS the parcel must be split between abutting properties by state statute, and

WHEREAS the property will assume the zoning of the property to which it is attached,

NOW THEREFORE BE IT RESOLVED that the subject alley be vacated to the following properties in the portions required by state statute:

A. 232 Verlinden Ave., Pcl. 3301-17-180-001, State Police Assoc.
B. Parcel 3301-17-180-011, State Police Assoc.
C. 212 Verlinden Ave., Pcl. 3301-17-180-021, American Legion
D. 1800 Inverness Ave., Parcel 3301-17-180-031, James Haines
E. 1718 Inverness Ave., Parcel 3301-17-180-041, HUD
F. 1815 Forbes Street, Parcel 3301-17-180-111, Mary Inverness

BE IT FURTHER RESOLVED that the City Council authorize the City Administration to record this resolution with the proper agencies.

By Councilmember Worthington:

Carried unanimously

Resolution #185
WHEREAS Warren and Sue Emerick of 2206 Marilyn Plaza have requested use of a 10' x 137.09' portion of Pleasant Grove Road right-of-way abutting their property; and

WHEREAS as the subject property is more particularly described as:

Commencing at the NE Corner of Lot #3 of Marilyn Plaza Subdivision, point of beginning, thence east 10 feet, south 137.09 +/- feet, then west 10 feet, north along east property line of Lot #3, Marilyn Plaza Subdivision 137.09 +/- feet to point of beginning Section 30, T4N R2W City of Lansing, Ingham County, Michigan

WHEREAS the Planning Board reviewed the request under the provisions of ACT 285 of Michigan PA of 1931 as amended, and based upon the Public Service Departments recommendation to vacate the 10' strip, has unanimously recommended the vacation of the above described portion of Pleasant Grove right-of-way; and

WHEREAS the City Council Committee on Physical Development have reviewed this matter and concurs with the recommendation of the Planning Board; and

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council approves the vacation of the above described right-of-way; and

FURTHER BE IT RESOLVED that an utility easement be maintained in this portion of land and that a fence plan be submitted to the Board of Water and Light for their approval prior to construction; and

FINALLY BE IT RESOLVED that the City Clerk be directed to properly record this vacation with the County Register of Deeds.

By Councilmember Worthington:

Carried unanimously

Resolution #186
BY COMMITTEE ON WAYS AND MEANS

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RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$10,000.00 from Reserve for Contingency-Control Acct.
A/C 101 173901 992200 13055
10,000.00 to Cap. Imp. Prog-Bgt. Cont.
A/C 101 933901 992200 13001
(Design drawings for FY 91 phase of City Market renovation project. To: 101-933890-975000 13044 ($10,000 to be reduced out of 90-91 appropriation).

The Balance in the Reserve for Contingency Fund after this transfer is $387,175.00

I hereby certify that funds are available.

Jan Lazar, Director of Budget and Management

APPROVED: By Councilmember Benavides:

Carried unanimously

Resolution #187
BY: THE WAYS AND MEANS COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, inflation has adversely impacted the purchasing power of police and fire department retirees and beneficiaries; and

WHEREAS, various proposals have been considered by the Council and the Board of Trustees of the Policemen and Firemen's Retirement System to provide benefit increases to current retirees and beneficiaries; and

WHEREAS, the Council finds that those retirees having 20 or more years of credited service, and their beneficiaries, tend to be affected most by the adverse effects of inflation; and

WHEREAS, the Council finds that increasing the minimum pension for retirees having more than 20 years of credited service, and for their beneficiaries will help alleviate the effects of inflation; and

WHEREAS, the Council finds that an increase in the minimum pension can be funded from 20% of the contingency reserve in the Police and Fire Retirement System, as it stood on December 31, 1988; and

WHEREAS, the Council finds that funding an increase in the minimum pension from 20% of the contingency reserve will not jeopardize the retirement system's ability to pay future benefits to its current and future retirees; and

WHEREAS, the Council finds that such an increase will not have a material or significant impact upon the wages, hours, or other conditions of employment of current employees who are active members of the retirement system;

NOW THEREFORE, BE IT RESOLVED that effective May 1, 1990, the minimum annual benefit for persons with 20 or more years of credited service shall be $8,620 for a retiree and $4,310 for a surviving spouse;

BE IT FINALLY RESOLVED that it is the intent of Council that this minimum annual benefit is to be applied to the different classification of retirees and beneficiaries as outlined in the February 7, 1984 Minutes of the Special Meeting of the Board of Trustees of the Police and Fire Retirement System.

By Councilmember Benavides:

Carried unanimously

Resolution #188
BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 610 South Fairview, legally described as:

Lot 71, Ulrich Subdivision of Outlot A of Leslie Park Subdivision, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 4 Plats, Page 28, Ingham County records.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe: and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan: and

WHEREAS, the City Council scheduled a hearing on March 26, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution April 23, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe' the Director of the Building Safety Division is hereby directed to proceed with demolition of said building: and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located: and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

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By Councilmember Lindemann:

Carried unanimously

Resolution #189
By Councilmember Lindemann

Resolved by the City Council of the City of Lansing

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the property located at 1223 Shepard Street, more particularly described as:

Lot 211, City Park Subdivision,

was scheduled for a hearing before the Demolition Hearing Officers on March 22, 1990; and

WHEREAS, the demolition Hearing Officers took testimony at the hearing and found the property to be unsafe and dangerous: and

WHEREAS, the Demolition Hearing Officers ordered the property to be made safe for occupancy or demolished in fourteen (14) days; and

WHEREAS, the property was neither made safe for occupancy nor demolished within the identified time frame; now

THEREFORE, be it resolved that the hearing be scheduled before the Lansing City Council at 7:00 p.m. on Monday, May 7, 1990; and

BE IT FURTHER RESOLVED, that the Building Safety Division send out notices to all owners of record.

By Councilman Lindemann:

Carried unanimously

Resolution #190
By Councilmember Lindemann

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the property located at 2816 W. Miller Road, more particularly described as:

Com 652 FT E of S ¼ Post, TH N 275 Feet, E 82.5 FT., N 55 FT, E 82.5 FT., S 330 FT, W 165 FT to Beg.,

was scheduled for a hearing before the Demolition Hearing Officers on March 22, 1990; and

WHEREAS, the Demolition Hearing Officers took testimony at the hearing and found the property to be unsafe and dangerous; and

WHEREAS, the Demolition Hearing Officers ordered the property to be made safe for occupancy or demolished in fourteen (14) days; and

WHEREAS, the property was neither made safe for occupancy nor demolished within the identified time frame; now

THEREFORE, be it resolved that the hearing be scheduled before the Lansing City Council at 7:00 p.m. on Monday, May 7, 1990; and

BE IT FURTHER RESOLVED, that the Building Safety Division send out notices to all owners of record.

By Councilman Lindemann:

Carried unanimously

Resolution #191
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert Rigelman filed a claim in the amount of $1,459.20 in protest of a sidewalk special assessment on his property at 639 North Clemens Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, Mr. Rigelman appeared before the General Services Committee, furnishing testimony that the claim was justified; and

WHEREAS, based on Mr. Rigelman's testimony, the Committee on General Services recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Robert Rigelman in the amount of $1,459.20; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Worthington

NAYS: Adado, Schmidt

Resolution #192
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jon McNeil filed a claim in the amount of $253.31 in protest of a sidewalk special assessment on his property at 230 Allen Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, Mr. McNeil appeared before the General Services Committee, furnishing testimony that the claim was justified; and

WHEREAS, based on Mr. McNeil's testimony, the Committee on General Services recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Jon McNeil in the amount of $253.31; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Worthington

NAYS: Adado, Schmidt

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Resolution #193
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Daniel L. Singles has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that his license has been suspended or revoked within two years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) D of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Daniel L. Singles.

BY councilmember Schmidt:

Carried unanimously

Resolution #194
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mark S. Richter has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) B of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Mark S. Richter.

By Councilmember Schmidt:

Carried unanimously

Resolution #195
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Earth Day 1990 is a national and international call to action for all citizens to join in a global effort to save the planet; and

WHEREAS, in the 19 years since the first Earth Day, despite environmental improvements, the health of the planet is increasingly endangered, threatened by global climate change, ozone depletion, growing world population, tropical deforestation, ocean pollution, toxic wastes, desertification, and nuclear waste requiring action by all sectors of society; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of acting in an environmentally sensitive fashion by recycling, conserving energy and water, using efficient transportation, and adopting more ecologically sound lifestyles;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby endorses the goals of Earth Day 1990, and encourages the Citizens of Lansing to participate in Earth Day activities promoting preservation of the global environment and launching the "Decade of the Environment."

By Councilmember Lindemann:

Carried unanimously

Resolution #196
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

BY THE COMMITTEE ON PUBLIC SAFETY

THAT the appointment of Sherri Johnson to the Board of Police Commissioners is hereby confirmed as recommended by the Mayor. Term will expire June, 1991.

By Councilmember Crawford:

Carried unanimously

Resolution #197
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

BY THE COMMITTEE ON PUBLIC SAFETY

THAT the appointment of Richard Jewell to the Board of Police Commissioners is hereby confirmed as recommended by the Mayor. Term will expire June, 1992.

By Councilmember Crawford:

Carried unanimously

Resolution #198
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, REVEREND JOSEPH E. GRAVES, Pastor of Mount Zion Missionary Baptist Church, has been selected to receive Impression 5 Museum's 1990 Community Service Award; and

WHEREAS, Reverend Graves is well known to this Council as founder and president of the Pastor's Conference of Greater Lansing, and for his leadership in the City's effort to identify an appropriate memorial to the life and ideals of Dr. Martin Luther King, Jr.; and

WHEREAS, Reverend Graves is also held in the highest esteem for his activities in the NAACP, the Coalition for Community Concerns, the Ministerial Alliance of Greater Lansing and the Capital Area Literacy Coalition, among many others;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends and congratulates REV. JOSEPH E. GRAVES upon his selection to receive the 1990 Community Service Award

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from Impression 5 Museum; and

BE IT FURTHER RESOLVED the City Council recognizes Reverend Graves' lifelong commitment to the welfare of others as a model worthy of emulation by the Citizens of Lansing.

BY Councilmember Ford:

Carried unanimously

Resolution #199

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall and Environs area; and

WHEREAS, the City of Lansing desires to insure a clean and orderly appearance of the public malls and walks areas by providing planter tub maintenance, special clean up employees, mechanical sweeping operations, snow clearing, snow ridge cut throughs and landscape maintenance; and

WHEREAS, the City of Lansing has determined that various promotional efforts of the Downtown Merchants Association need to be supported by providing holiday decorations throughout District 1; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment districts established for special assessment; and

WHEREAS, the City of Lansing has determined that a portion of the costs of providing such services should be recovered by a special assessment of them against properties especially benefitted as authorized by 1984 PA 260 and Chapter 1026.08 (a-f) of the Lansing Code of Ordinances; and

WHEREAS, the Lansing Mall Advisory Board has reviewed and proposed special assessment district boundaries involving three maintenance areas; and

WHEREAS, the Lansing Mall Advisory Board has proposed specific services along with the estimated costs for these services under a maintenance contract; and

NOW, THEREFORE BE IT RESOLVED that three (3) special assessment districts for maintenance be established by the City Council as follows:

District 1. Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

District 2. Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

District 3. Beginning at the intersection of S. Townsend Street and W. Allegan Street, E. on Allegan (S. side only) to Capitol Avenue, S. on Capitol Avenue (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to Townsend Street, N. on Townsend (E. side only) to point of beginning; also Washtenaw Street east and west (both sides) from Townsend Street to Capitol Avenue.

BE IT FURTHER RESOLVED, that the maintenance services along with the estimated costs for these services be recovered by a special assessment of these costs against the properties especially benefitted as follows:

District 1—Fifty percent of the planter tub maintenance and one hundred percent of the costs of special cleanup employee responsibilities, snow clearing, mechanical sweeping, and holiday decorations for those services required either on the Washington Mall sidewalk areas (estimated cost of $48,488) or on the off Mall sidewalk areas (estimated cost of $68,172).

District 2—One hundred percent of the costs of special clean up employee responsibilities, snow clearing and mechanical sweeping for those services required on the sidewalk areas (estimated cost of $31,074); and

District 3—One hundred percent of the costs of special clean up employee responsibilities, snow clearing and mechanical sweeping for those services required on the sidewalk areas (estimated cost of $8,170); and

BE IT FURTHER RESOLVED, that the City Assessor is requested to prepare an assessment roll assessing all properties on the basis of each property's total front footage for those services specifically provided for in that area of the district; and

BE IT FURTHER RESOLVED, that the special assessment roll be subscribed by the City Assessor and returned to City Council on or before May 7, 1990; and

BE IT FURTHER RESOLVED, that a public hearing to confirm the special assessment roll will be held on Monday, May 7, 1990 at 7:00 p.m., in the City Council Chamber, 10th floor, City Hall, Lansing, Michigan; and

BE IT FINALLY RESOLVED, that the City Clerk publish notice of hearing to confirm the special assessment roll in a newspaper of general circulation for five (5) consecutive days prior to the date of the hearing and the notice of confirmation hearing be mailed to each property owner or party of interest in property to be assessed.

Motion by Councilmember Schmidt:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Schmidt, Worthington

Nays: Lindemann

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction.

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ORDINANCES FOR PASSAGE

There were no Ordinances for Passage.

CONSIDERATION OF LATE ITEMS

1/ To include a proposed resolution for the Forest Road Scenic Corridor with the public hearing and refer them both to the Committee on Physical Development.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ A resolution establishing three assessment districts for Washington Mall maintenance, requesting preparation of a special assessment roll and setting a public hearing for May 7, 1990.

See Resolution #199

3/ A letter from a concerned citizen regarding property at 720 Jessop Avenue.

REFERRED TO THE MAYOR

4/ A letter from Peter Pasterz of Recyclers of Ingham, Eaton and Clinton Counties providing some pricing on recycling equipment and other items.

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERGOVERNMENTAL RELATIONS COMMITTEE

5/ A petition received from residents of the Eastside Community Policing Project requesting barricades in their area.

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

6/ A letter from Mary Margaret Woll, President of the Eastside Neighborhood Association, supporting the request for barricades submitted by the Eastside Policing Project.

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENTS

Jim Schmidt of 1800 W. Pennsylvania asked Mayor McKane if he approved of the survey that was sent to the residents of South Pennsylvania. The Mayor responded that he felt there could have been a better way to word one of the questions but that he did not feel that it affected the survey results.

Deborah Mulcahey of 713 W. Genesee brought some garbage to Council Chambers to demonstrate a problem with the enforcement of trash removal in her neighborhood. She requested consideration of a shortening of the time allowed for violators to remove trash.

Muhammed Frank Curtis spoke regarding the problems with nuclear waste disposal.

Sam Fata of 322 W. Madison spoke in opposition to the proposed tax increase.

Betty Gardner of 300 Western asked the City to reconsider the disposition of the Civic Center. She also spoke in support of automatic weapons for the Sheriff's Department.

George Scarlett of 7313 Williamston thanked the Council for their votes on Resolution #187 regarding increased benefits for Police and Fire Department retirees and their widows.

Russell Greear of 1517-½ Bailey again spoke about the problem he is encountering with a business handling drug paraphernalia in his neighborhood.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

The Mayor stated that the police department is working on the problem reported by Russell Greear.

Mayor McKane mentioned that the final report of the consultants on the Motor Wheel Disposal Fund is delayed until May 30, 1990.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt stated that the General Services Committee will be meeting on April 24, 1990 at 1:30 P.M.

Councilmember Benavides mentioned a problem occurring in the Daft and Marywood area with people dumping trash. He also mentioned a problem with vehicles speeding on West Ionia and requested the installation of speed counters in this area.

Councilmember Ford asked the Mayor if he could have a special report regarding the barricades in the Westside neighborhood. He would like to know how many tickets are being given during work hours as opposed to the balance of each day.

BY COUNCIL PRESIDENT BELEN:

Council adjourned at 10:50 P.M.

JAMES D. BLAIR, CITY CLERK
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 30, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
April 30, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Adado

The Invocation and Pledge of Allegiance were led by Mayor Terry J. McKane.

Motion by Councilmember Worthington to accept the printed Council proceedings for April 5, April 9 and April 16, 1990.

Carried unanimously.

By Councilmember Crawford:

That we suspend the rules to accept the following:

1/ A Proclamation proclaiming the month of May, 1990 as "White Ribbons Against Pornography Month"

2/ Two petitions from Russell Greear regarding the selling of drug paraphernalia.

Carried unanimously.

April 30, 1990 at 7:00 o,clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the Transfer of a Commercial Facilities Exemption Certificate from Ted Freidinger to Aeronautics, Inc.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Transfer, they would have the privilege of speaking at this time.

There were no public speakers.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE AND THE ECONOMIC DEVELOPMENT BOARD

PUBLIC COMMENTS

No public speakers.

SPECIAL CEREMONIES

The Mayor introduced Duane Vernon who make remarks about the Michigan Parades into the 21st Century Parade scheduled for May 12, 1990.

The Mayor presented a Proclamation naming May, 1990, "White Ribbons Against Pornography Month" to Mary Ziegler of Citizens Against Pornography.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

A. Progress Report from the Department of Natural Resources regarding the Motor Wheel Disposal Superfund Site

RECEIVED AND PLACED ON FILE

B. Information received from Eileen Liska, Director of Research & Legislation for the Michigan Humane Society, regarding the Proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

C. Information received from the Department of Social Services regarding Licensing of Two Foster Family Group Homes in Lansing

REFERRED TO THE MAYOR

D. Letter from Lynn Anderson of 736-½ W. Jefferson, Grand Ledge, Protesting the Method of Calculation for Lansing City Income Taxes

REFERRED TO THE MAYOR

E. Letter from Brenda Ballard of 5958 Haverhill Drive objecting to the Proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

F. Letter from Thelma Osteen, President of the North Lansing Community Association, requesting a waiver of fees and the Loan of some Parks Dept. Equipment for the 1990 North Lansing Heritage Festival

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mayor McKane commented on the recent death of former Mayor Sam Street Hughes. Those present in Council Chambers then held a moment of silence in his memory. The Mayor commented on agenda letters 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19.

REPORTS OF CITY OFFICERS AND BOARDS

A. Letter from the City Clerk submitting routine applications for action on licenses and bonds:

Resolution #200
April 30, 1990
President Belen and Members of the Lansing City Council
10th Floor City Hall

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Vicky Lunne Miller, Gary Lee Yockey, Gregory Theodore Medwayosh, Robert James Spurbeck, Edward Olson Verschul, Frederick Jackson McCall, Francis Willard Miller, Ray Martin Holmer, Richard Frederick Pratt, Neil Hassan-Hameen Mahmoud, William Irving Young, James Arthur Gray, Joseph W. Whitford, Joseph S. Scavarda, Lloyd Arthur Klotz, William E. Cole, Glenn Everett Miller, Marshall Allen Smith, Roger Lee Newcomb, Donald Ray Pullen, David Lamon Russell, Steven James Grob, Mark Thomas Seman, Martin Valeiu, David Lee Devries, Russell Myron Clark
RUBBISH HAULER: Allied Disposal Company, Central Sanitation, Inc.
VEHICLES FOR HIRE: Spartan Cab Company
AUCTIONEER: James J. Korrey
PEDDLER: Gunter Nartelski
CABARET: Unicorn Travel

Sincerely,

James D. Blair
City Clerk, City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 23, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Parks & Recreation—Five Year Master Plan

Resolution #201
Motion by Councilmember Benavides:

To accept the recommendation of the Mayor to set a Public Hearing on the Plan for May 7, 1990.

Carried unanimously.

2. Michigan Environmental Protection Report regarding the Motor Wheel Disposal Superfund Site

RECEIVED AND PLACED ON FILE

3. Barricade Report for the Allegan/Vivian Riddle School Area

RECEIVED AND PLACED ON FILE

4. Tax Abatement Review Application by Aeronautics, Inc.—631 North Pennsylvania

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE AND THE ECONOMIC DEVELOPMENT BOARD

5. Homestead Purchase—1527 Linval

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. Resignation of Lelio Casola from the Human Relations Board

RECEIVED AND PLACED ON FILE

7. Appointment of Garry Goolsby to the Planning Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Appointment of Michael Bryanton to the Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

9. Appointment of Robert J. Hull to the Board of Zoning Appeals

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10. Reappointment of Alfred Eger to the Historic District Commission

Resolution #202
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Alfred Eger to the Historic District Commission, term expiration June, 1993.

Carried unanimously.

11. Reappointment of William Bishop to the Lansing Housing Commission

Councilmember Crawford moved that this recommendation be referred to the Committee on Ways and Means for further discussion with Mr. Bishop.

Carried unanimously.

12. Reappointment of Stuart Dunnings, Jr. and the Reverend Melvin T. Jones to the Human Relations Board

Resolution #203
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Stuart Dunnings, Jr. and the Reverend Melvin T. Jones to the Human Relations Board, term expiration June, 1994.

Carried unanimously.

13. Reappointment of Constance Knowlton and Dr. Clyde Carnegie to the Human Resources Board

Resolution #204
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Constance Knowlton and Dr. Clyde Carnegie to the Human Resources Board, term expiration June, 1994.

Carried unanimously.

14. Reappointment of Emily Marks Horne and Floyd Wright to the Planning Board

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Resolution #205
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Emily Marks Horne and Floyd Wright to the Planning Board, term expiration June, 1994.

Carried unanimously.

15. Reappointment of John Brady to the Plumbing Board

Resolution #206
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint John Brady to the Plumbing Board, term expiration June, 1994.

Carried unanimously.

16. Reappointment of Cleo Cipicchio and Toni Glascoe to the Public Service Board

Resolution #207
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Cleo Cipicchio and Toni Glascoe to the Public Service Board, term expiration June, 1994.

Carried unanimously.

17. Reappointment of Geneva Smith to the Traffic Board

Resolution #208
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Geneva Smith to the Traffic Board, term expiration June, 1994.

Carried unanimously.

18. Reappointment of Paul Nieratko, II to the Waterfront Development Board

Resolution #209
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Paul Nieratko, II to the Waterfront Development Board, term expiration June, 1994.

Carried unanimously.

19. Reappointment of Dr. Edward Spink to the Zoning Board of Appeals

Resolution #210
Motion by Councilmember Worthington:

Resolution by the City Council, City of Lansing, to accept the recommendation of the Mayor and reappoint Dr. Edward Spink to the Zoning Board of Appeals, term expiration June, 1994.

Carried unanimously.

COMMITTEE REPORTS

LS-2-90
805/807, 809/811 Chicago Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a proposed lot split at 805/807 and 809/811 Chicago Avenue which would retain the existing buildings and develop a two or three unit building on the newly created lot.

REPORTS AS FOLLOWS:

That the proposed split be DENIED because it would overdevelop the area and create several nonconforming lots.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

LS-5-90
817 West Northrup Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a proposed lot split at 817 West Northrup Street which would create two single family lots.

REPORTS AS FOLLOWS:

That the proposed lot splits should be approved as they meet lot area requirements and the proposed use would be in conformance with the Area Master Plan.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Absent

Z-18-89
1015 East North Street

The Committee on Physical Development To whom was referred the rezoning petition

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Z-18-89—1015 East North Street to be rezoned from "F" Commercial District to "B" Residential District.

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

SLU-3-90
100/200 Blocks Friendship Circle

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a Special Land Use permit for the property on the east side of the 100/200 blocks of Friendship Circle to permit construction of an office building within the 100 year floodplain of the Red Cedar River.

REPORTS AS FOLLOWS:

That the request is appropriate and that if the applicant raises the first floor elevation at or above the 100 year flood elevation and satisfactorily fulfills the requirements of all responding agencies. That the request be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Crawford. Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

RESOLUTIONS

Resolution #211
By Councilman Worthington:

Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing City Council approved the sale of homestead property, 319 West Kilborn, to Chai and Yer Vue; and

WHEREAS, Chai and Yer Vue did not carry through the homestead process; and

WHEREAS, one of the alternates originally selected for the property was still interested in homesteading; and

WHEREAS, the City Charter of the City of Lansing requires City Council approval of all sales of City property;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing authorizes the Mayor and City to execute the sale agreement with Ricardo and Beatriz Flores; and

BE IT FURTHER RESOLVED that the City Council authorizes the sale of 319 West Kilborn Street to Ricardo and Beatriz Flores, subject to the terms and conditions of Said Agreement and the City of Lansing's Urban Homesteading Procedures and that the names of Chai Vue and Yer Vue be withdrawn as homesteaders for 319 West Kilborn Street.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution for SLU-3-90—100/200 Blocks of Friendship Circle

Motion by Councilmember Worthington:

To pull this Resolution and refer it back to Committee.

Carried unanimously; Councilmember Adado absent.

Resolution #212
LS-2-90
805/807 and 809/811 Chicago Avenue

WHEREAS pursuant to the City of Lansing Subdivision Regulations, being Chapter 1230 of the Code of Ordinances of the City of Lansing, Eric and Evangelina Faiver have requested that the properties located at 805/807 and 809/811 Chicago Avenue be divided by splitting off the west 55 feet of the properties to create a third lot in order to construct a two or three unit apartment building facing Oakland Avenue; and

WHEREAS the Planning Board at their meeting of April 17, 1990, unanimously recommended denial of the lot division, finding that the resulting lots would lack sufficient width and depth to meet the Subdivision Regulations, create at least two nonconforming lot size situations, result in overdevelopment of the site, and by such reasons not be in keeping with the general intent of the Codes, Ordinances or Master Plan; and

WHEREAS the Physical Development Committee of the City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing concurs therewith and hereby denies the requested lot division; and

BE IT FURTHER RESOLVED that the City Clerk be, and is hereby, directed to notify the petitioner of this action.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #213
COMMITTEE ON PHYSICAL DEVELOPMENT

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LS-5-90
817 West Northrup

WHEREAS Kerry Blackie has requested to divide the property located at 817 West Northrup Street into two (2) parcels for the purpose of constructing one additional single family nome on the west side of the property. The property is currently described as:

Commencing at a point 10 rods west of the northeast corner of the southeast ¼ of Section 5, T3N, R2W; thence west 10 rods; thence south 8 rods; thence east 10 rods; thence north 8 rods to beginning, City of Lansing, Ingham County, Michigan; and

WHEREAS the Planning Board, at their meeting of April 3, 1990, conducted a public hearing on this request, at which time Kerry Blackie, the petitioner representing Lenora Pawley, property owner, spoke on behalf of this lot division. Wayne Bergin of 831 West Northrup spoke in opposition to the change and submitted a petition with thirteen (13) signatures opposed to the change; and

WHEREAS the Planning Board, at their meeting of April 17, 1990, reviewed all available data and the results of the public hearing and recommended approval of the proposed lot division to be divided into two parcels; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the division of this property into two (2) parcels, more particularly described as:

Parcel A—The east 82.50 feet of the following described property: Commencing at a point 10 rods west of the northeast corner of the southeast ¼ of Section 5, T3N, R2W; thence west 10 rods; thence south 8 rods; thence east 10 rods; thence north 8 rods to beginning, City of Lansing, Ingham County, Michigan

Parcel B—The west 82.50 feet of the following described property: Commencing at a point 10 rods west of the northeast corner of the southeast ¼ of Section 5, T3N, R2W; thence west 10 rods; thence south 8 rods; thence east 10 rods; thence north 8 rods to beginning, City of Lansing, Ingham County, Michigan and

BE IT FURTHER RESOLVED that the City Clerk be, and is hereby, directed to notify the applicant of this action.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #214
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING THAT the Mayor's appointment of:

Residents
Carol Alexander, 1000 W. Hillsdale
Luke DeMyers, 1000 W. Lenawee
Margie Van Why, 1020 W. Washtenaw
Elizabeth Duncan, 924 W. Hillsdale
Carol Brown, 923 W. Allegan
Dianne Clark, 921 W. Lenawee
Ledora Gary, 422 S. Butler
Patrick Michael Logan, 1001½ W. Allegan

Alternates
Equator Williams, 421 S. Logan
Mary Barnes, 1014 W. Washtenaw

Nonresidents
Rev. Melvin Jones, Union Missionary Baptist Church
Larry Leatherwood, Michigan Department of Transportation
Paul Novak, Westside Neighborhood Organization
Donald Hough, BRD Graphics (Business Property Owner)
Grady Porter, Capitol Commons (745 W. Lenawee)
Joel Ferguson, Capitol Commons Owner
Fred Johnson, Rental Property Owner of Sixteen Units

Alternates
Geneva Smith, Resident Capitol Commons (769 Lenawee)
Mary D. Wrigley, Rental Property Owner
Leslie Hargett, Member of Neighborhood Watch #120

to the Seven Block Area Citizens' District Council for a term of three (3) years are hereby confirmed.

ADOPTED by the following vote:

By Councilmember Worthington:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington
NAYS: None
ABSENT: Adado

Resolution #215
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District #3 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 5511 Enterprise Drive, more fully described on Appendix A; and

WHEREAS, Ameritainer, Inc. has submitted an application for an Industrial Facilities Exemption Certificate for the purchase of new equipment within said Industrial Development District; and

WHEREAS, a hearing was held on Ameritainer, Inc.'s application for an Exemption Certificate on April 23, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Ameritainer, Inc. has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Lansing approves the application from Ameritainer, Inc. for an Industrial Facilities Exemption Certificate (IPR-3-90), to remain in effect for a period of twelve (12) years.

By Councilmember Schmidt:

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Carried unanimously; Councilmember Adado absent.

Resolution #216
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jeffrey M. Pratt has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Jeffrey Pratt for a public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the City Clerk shall notify the applicant of the Council's findings and conclusion.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent.

Resolution #217
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Charles A. Wilkinson has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Charles A. Wilkinson

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent.

Resolution #218
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$22,500.00 from District Court Expenditures
A/C 101 132200 992200 00000
22,500.00 to Adm. Serv.—Bgt. Cont. Account
A/C 101 173101 992200 00000
(Cost of installing wiring to handle Court-automated systems (District Court, Probation, and City Attorney's Offices) Memo acct. 101-173140-746300-0) (Replaces Council transfer of April 16, 1990.)

$22,500.00 from Dist. Court Bgt.—Control Account
A/C 760 132201 992200 00000
22,500.00 to District Court Budgetary Fund Balance
A/C 760 000000 390001 00000
(See page 1: replaces Council transfer of 4/16/90)

Submitted by:
Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte
Director of Finance/City Controller

APPROVED: By Counoilmember Benavides:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-6-90—100-200 Blocks Friendship Circle to be rezoned from "DM-2" Residential District to "D-1" Professional Office District

was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

Resolution #219
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 21, 1990, at 7 p.m. in the Tenth Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-6-90—100-200 Blocks Friendship Circle to be rezoned from

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"DM-2" Residential District to "D-1" Professional Office District.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-4-90—4200-4220 South Cedar Street to be rezoned from "A" Residential District, and "F" Commercial District, to "F" Commercial District

was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolution #220
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 21, 1990, at 7 p.m. in the Tenth Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-4-90—4200-4220 South Cedar Street to be rezoned from "A" Residential District and "F" Commercial District to "F" Commercial District.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

OTTAWA/WALNUT HISTORIC DISTRICT DESIGNATION

By Councilmember Worthington:

Resolved by the Committee on Physical Development. The Committee reported that it considered an ordinance providing that Part 12, Title 2 of the Code of Ordinances of the City of Lansing, Michigan, be amended by an ordinance in accord with Section 1220.02(k) to provide for a Historic District Designation of the area located in the City of Lansing, Michigan, to be known as the Ottawa/Walnut District.

By Councilmember Worthington:

Was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolution #221
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 7, 1990 at 7:00 PM. in the Tenth Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinance for an Historic District designation of the area located in the City of Lansing, Michigan to be known as the Ottawa/Walnut District.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

ORDINANCES FOR PASSAGE

By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-18-89—1015 East North Street to be rezoned from "F" Commercial District to "B" Residential District be placed on order of immediate passage.

By Councilmember Worthington:

That this be considered as being read in its entirety.

Carried unanimously.

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-18-89—1015 East North Street to be rezoned from "F" Commercial District to "B" Residential District be now passed.

By Councilmember Worthington:

That Ordinance be now passed.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, and Worthington

NAYS: None

ABSENT: Councilmember Adado

ORDINANCE #2313
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1.That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-18-89, 1015 East North Street
Parcel Number: 3301-10-107-171
Legal Description: The south 134.92 feet, Lot 18; also commencing southwest corner Lot 18; thence east 66 feet, south 34 feet, west 66 feet, north 34 feet to beginning, Block 1, City of Lansing, Ingham County, Michigan

From "F" Commercial District to "B" Residential District.

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Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

1/ A Proclamation proclaiming the month of May, 1990 as "White Ribbons Against Pornography Month"

2/ Two petitions from Russell Greear regarding the selling of drug paraphernalia.

REFERRED TO THE MAYOR AND CITY ATTORNEY

3/ Petition from residents of Thomas Street dealing with traffic signs submitted by Councilmember Lindemann.

Motion by Councilmember Benavides to suspend the rules to accept this petition.

Carried unanimously.

REFERRED TO THE MAYOR

MOTION OF EXCUSED ABSENCE

By Councilmember Ford:

To grant an excused absence for Councilmember Adado.

Carried unanimously.

PUBLIC COMMENTS

Muhammed Frank Curtis spoke about the lack of public officials listening to public complaints.

Steve Bancroft, 609 Cooper Street, former employee of the Public Service Department, stated he felt he was wrongfully discharged by the City and is not receiving the support of his Union. Mr. Boyd stated that he discussed the matter with the Labor Relations Department and was informed that Mr. Bancroft can pursue legal recourses if he feels he has not been adequately represented by his Union.

Mary Reynolds spoke regarding the need for a left hand turn going North and South at the intersection of South Pennsylvania and Jolly and at the intersection of South Pennsylvania and Mt. Hope. Councilmember Worthington responded that action has already been taken by Council to do so at the South Pennsylvania and Jolly intersection. Ms. Reynolds also asked whether or not Frances Park will be open on Memorial Day Week-end. The Mayor responded that the gates were open a few days ago at Frances Park.

Dale Doberstein of 916 Cavanaugh spoke in protest of the proposed tax increase and mentioned that he may lead a recall effort if this increase is passed.

Sam Fata of 322 W. Madison Street asked the Mayor if tax dollars are being diverted from the drug effort to the street repairs or if plans are to do both. He feels that monies need to be expended more in the drug effort.

Russell Greear of 1517-½ Bailey spoke regarding the petitions he submitted regarding drug paraphernalia. He asked when these would be up for public comment so petition signers can speak. Mr. Greear also requested road blocks for his neighborhood to curtail the activities regarding drug paraphernalia. The Mayor responded that he is meeting with Mr. Greear on May 9, 1990, to discuss these issues.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane mentioned the special recognition to be held on May 2, 1990, for City support personnel. Other events taking place within the next week include:

1/ On Thursday, there will be a Red Cross Dinner for citizens who have donated blood.

2/ The Lansing Garden Club Flower Show will be at Scott Center on Saturday and Sunday.

3/ CATA will be recognizing drivers and mechanics Sunday evening.

4/ On Monday, the Mayor will be in a number of City locations celebrating Public Employee's Day between 7:00 A.M. and 4:00 P.M.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt spoke regarding a letter she received from a Mrs. Bates which had no return address. Councilmember Schmidt needs this address to respond and asked Mrs. Bates to call in with her address if she is watching the Council proceedings.

Councilmember Worthington addressed the Council regarding the proposed tax increase and the need for timely repair of roads, bridges, Fire Stations, other City buildings and other items.

Councilmember Benavides announced that Ways and Means scheduled for tomorrow morning has been cancelled as there are no agenda items.

COUNCIL PRESIDENT BELEN:

Council adjourned at 8:28 P.M.

James D. Blair, City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, May 7, 1990

CITY COUNCIL ROOMS

Lansing, Michigan
May 7, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt:

By Councilmember Lindemann:

That we suspend the rules to accept the following:

1/ Letter from John Steinway of 511 Shepard Street opposing the proposed property tax increase.

2/ Letter from Mayor Terry J. McKane regarding the Forest Road Scenic Corridor.

3/ Letter from Mayor Terry J. McKane requesting a Public Hearing be set for May 21, 1990 regarding an Attractive Nuisance.

4/ Letter from Brian J. Ferrier of 2509 Martin Luther King/Logan regarding excessive speeding on King/Logan between Mt. Hope Avenue and Holmes Street.

5/ Resolution requesting a Public Hearing for May 21, 1990 regarding Sidewalk Assessment Roll #B-47

6/ Councilmember Worthington requested a discharge of the Committee Report for the Forest Road Scenic Corridor

7/ Councilmember Worthington requested the Introduction of an Ordinance regarding the Historic District Designation for the Ottawa/Walnut District

Carried unanimously.

PUBLIC HEARINGS

A. & B. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the Proposed Fiscal 1990-1991 budget for the City of Lansing.

May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on increasing property taxes 2.5 mills.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed budget or the proposed 2.5 mills property tax increase, they would have the privilege of speaking at this time.

The following spoke in opposition to the proposed 2.5 mills property tax increase:

George Belon of 3115 N. Cambridge
David McCardel of 2801 Bryon Circle
William Weathers of 3000 W. Holmes Road
Earl Klebba of 1710 Nottingham
Dale Dobberstein of 916 Cavanaugh
James DeRocca of 3815 Donald
Fredrick Parks of 3525 Wayside Terrace
Russell Greear of 1517-½ Bailey
Michael Head of 303 N. Jenison Avenue
Jane Pereda of 600 W. Lapeer
Alicia Abood of 1789 Georgetown
John Lovall representing Advanced Truck Covers
Frank Curtis of 1137 W. Allegan
Michael Cole of 3424 Brae-Burn Drive
Jon Addiss of 2113 S. Washington
Gary Andrews of 560 Brookland Blvd.
Mark Amay of 2514 W. Jolly Road
Charles Jurasek of 3200 Reo Road
One other who did not sign in

The following spoke in support of the proposed 2.5 mills property tax increase:

Barry Crown of 3036 Westchester
John Dougherty of 229 Moores River Drive
Niel Hanson of 3815 Schlee
Judge Glenn Allen of 800 Michigan National Tower
Marshall Klaus of 1015 Braman Street
Carol Webster of 125 W. Main
Beth Cool of 731 Julia
Carlton McConnell of 401 N. Cedar Street #101
Fred Adams of 3823 Palmer
Dale Granger of the Board of Public Service
Gregory Byrd of 648 S. Foster
Thomas Cardy representing Friends of Cooley Gardens
David Dickhout representing Friends of Cooley Gardens

REFERRED TO THE COMMITTEE OF THE WHOLE

C. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on establishing three special assessment districts for Washington Mall and Environs Maintenance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed special assessment districts, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers,

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10th Floor, City Hall, being the time and place set as the time for a public hearing on Z-3-90—610 East Sheridan Road to be rezoned from "A" Residential District to "C" Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolition of property located at 2816 W. Miller.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITEE ON PUBLIC SERVICES

F. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the make-safe or demolition of property located at 1223 Shepard.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

G. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the proposed Historic District Designation for the Ottawa/Walnut District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed designation, they would have the privilege of speaking at this time.

Patrick Reed was present to represent the homeowners who are requesting the Historic Designation and to answer any questions.

Letters were also received from Joseph Mansfield of 615 N. Capitol Ave.; Ted Levy, President of Shinberg Insurance; the Landlords of Mid-Michigan and John E. Hunt of 106 Bailey Street; all in support of the proposed Historic Designation.

REFERRED TO THE COMMITEE ON PHYSICAL DEVELOPMENT

H. May 7, 1990, at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for a public hearing on the proposed Parks & Recreation Department's Five Year Master Plan.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Plan, they would have the privilege of speaking at this time.

Gary Andrews of 560 Brookland Blvd. stated that he did not feel citizen input was being used for the Five Year Master Plan and also felt that user fees should be assessed instead of increasing taxes.

Barry Crown, Chairman of the Parks Board, stated that the Plan received a lot of citizen input and that he felt it was a very well thought out plan. He urged support for the Plan.

Charles Jurasek of 3200 Reo Road spoke in favor of user fees instead of increasing property taxes.

One other speaker who did not sign in opposed the increased property taxes to support the Plan.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

Councilmember Crawford moved to allow any remaining people present to speak at this time on any matter so that they would not have to remain for the entire meeting.

Carried unanimously; Councilmember Adado absent.

The following spoke in support of placing barricades in the Shiawassee Street area:

Kathy Smith, Mary Hans, & Mary Margaret Woll

The following spoke in opposition to the relocation of adult bookstores or theaters in the North Side:

Bishop Alfred Singleton of 1510 Moores River
Robert Hollingsworth, Ann Courtney, David Leek, Tom Robinson, Mary Haney, Thelma Osteen, & Gary Andrews

Gladys Gilson of 223 W. Barnes requested enforcement of the noise ordinance by the City.

SPECIAL CEREMONIES

The Mayor mentioned that this past week was Public Employee's Recognition Week and that he had been visiting City departments and distributing buttons labeled "Public Employees—Unsung Heroes" on May 7, 1990.

The Mayor presented a Proclamation to Pat St. George proclaiming May 6-12, 1990 as "Mental Health Awareness Week".

The Mayor presented a Proclamation to Bob Shumway of the Board of Water and Light proclaiming May 6-12, 1990 as "Drinking Water Week".

The Mayor presented a Proclamation to Les Hunter proclaiming May 6-12, 1990 as "Arson Awareness Week."

Councilmembers honored Councilmember Benavides who celebrated a birthday on May 5, 1990.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Lindemann:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

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A. Letter from Gary Cachtler of 100 Bohnet Street opposing the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. Letter from Irene Dunham of 508 W. Frederick supporting the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Letter from Edward Hacker of Hacker Realtors protesting the 1990 Mall Maintenance Assessment

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Letter from Don Wheelock of 1606 S. Pennsylvania Avenue opposing the removal of the Median on S. Pennsylvania

RECEIVED AND PLACED ON FILE

E. Interim Financial Statements for Greater Lansing Convention-/Exhibition Authority for the quarter ending March 31, 1990

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. Letter from Frederick Stackable of 300 North Grand Avenue informing the City of space availability within a Property Owned by Him

REFERRED TO THE MAYOR

G. Letter from Paul Swarthwood of 2825 Greenbiar opposing the 2.5 mill tax increase

REFERRED TO THE COMMITTEE OF THE WHOLE

H. Z-10-90 Petition for Rezoning 1020 East Saginaw Street from "D-1" Professional Office to "F" Commercial

REFERRED TO THE MAYOR AND THE PLANNING BOARD

I. Notice of Hearing from Consumers Power Company regarding a Hearing on a Plan to Apply a Surcharge to Customer Billings to recover costs of Power Supply Cost Recovery

RECEIVED AND PLACED ON FILE

J. Report received from Ingham Intermediate School District of Compiled Statistics for Local School Districts 1989-1990

RECEIVED AND PLACED ON FILE

K. Letter from Gary Brya, Finance Chairman of the Kiwanis Club of Lansing, regarding their fundraising Annual Peanut Day Sale on May 11, 1990

RECEIVED AND PLACED ON FILE

L. Notice from the Department of Natural Resources on 1990 Grant and Loan Programs

REFERRED TO THE MAYOR

M. 135 Pages of Petition Submitted by the North Lansing Community Association Opposing Relocation of Adult Theatres or Adult Bookstores in North Lansing

REFERRED TO THE MAYOR

N. Protest received from George Belon regarding the Tax Rate Increase

REFERRED TO THE COMMITTEE OF THE WHOLE

O. Resolution of Support for the Budget Monies Proposed for Maintaining the Turner-Dodge House and Park received from the Clinton County Historical Commission

REFERRED TO THE COMMITTEE OF THE WHOLE

P. Resolution of Support for the 2.5 mill Increase received from the South Central Neighborhood Organization

REFERRED TO THE COMMITTEE OF THE WHOLE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mayor McKane commented on letters El, E3, E4, E5 and E6 from the Agenda. He also mentioned that barricades in the Shiawassee Street area would be in place by Friday, May 11, 1990 at 6:00 P.M. if the resolution passes this evening.

OFFICER AND BOARD REPORTS

A.
Resolution #222
May 7, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: David Scott Hidy, Phillip Terry Lynn, Roy Harry Osterhout, James Walker, Stephen Paul Wagner, Larry Alfred Reynolds, Marion Leroy Rainsberger, Gordon Blakely, Paul James Robert, Eddy Dean Beardslee, Stelica Caslaganu, Leonard Skinner, Andrew Lee Flint, Robert Dale Weatherby, Demetrio Saenz, Jeffrey Scott Wellman, Robert Leo Sabin, Randy Dean Huddelson, Gregory Eckhoff, Gerald Allen Baker, Glenn Henderson, Dale Douglas Parham
RUBBISH HAULER: D. W. Harte Enterprises, Inc.
WRECKER SERVICE: Eugene D. Hetherington, Lawrence Waligorsky

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

B. Notice from the City Clerk that Minutes from Council Proceedings of April 30, 1990 are Available for Review

RECEIVED AND PLACED ON FILE

C. Notification received from Council President Belen regarding Total City Business to Belen's Flowers for the Period from 6/22/89 to 4/30/90

REFERRED TO THE BOARD OF ETHICS

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D. Affidavit of Disclosure Received from Councilmember Sidney Worthington

REFERRED TO THE BOARD OF ETHICS

E. Letters from the Mayor re:

1. Barricade Report—Vivian Riddle School Area—Week of April 25, 1990

RECEIVED AND PLACED ON FILE

2. Permanent Easement for Maplewood Pedestrian Overpass

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Appointment of David O'Leary to the Board of Water and Light

REFERRED TO THE COMMITTEE OF THE WHOLE

Resolution #223
Council President Lucile Belen and Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the reappointment of William L. Downs to the Mechanical Construction Examiners Board. This term will expire June, 1994.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent.

Resolution #224
Council President Lucile Belen and Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the reappointment of Jesus P. Armbula to the Traffic Board. This term will expire June, 1994.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent.

Resolution #225
Council President Lucile Belen and Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the reappointment of Hilda Patricia Curran to the Zoning Board. This term will expire 1994.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

7. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee reports.

RESOLUTIONS

Resolution #226
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, illegal drug activity and related crime are detrimental to the public health, safety and welfare and contrary to law; and

WHEREAS, based on information from the Uniform Division and Criminal Intelligence Unit of the Lansing Police Department, along with information from residents, the neighborhood bounded by Shiawassee on the north, Pennsylvania Avenue on the east, Michigan Avenue on the south, and the Conrail railroad tracks on the west, has been exposed to a high incidence of illegal drug activity and prostitution; and

WHEREAS, the City Council has determined that closing streets to all but local traffic has the effect of deterring and decreasing incidences of illegal drug activity and prostitution; and

WHEREAS, residents of the above-described area have specifically requested the City to use barricades to reduce illegal activity;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 2.51(2) of the Traffic Code, the City Council hereby closes to all but local traffic the streets within an area bounded by Shiawassee Street on the north, Pennsylvania Avenue on the east, Michigan Avenue on the south, and the Conrail railroad tracks on the west, and authorizes the use of appropriate barricades and signs to indicate such closure; and

BE IT FURTHER RESOLVED the Mayor is authorized to determine which portions shall be barricaded at any one time; and

BE IT FINALLY RESOLVED the closure set forth herein shall be for a period not to exceed sixty (60) days from adoption of this resolution, however, the Mayor is authorized to terminate such closure sooner, and/or reinstitute such closure for the balance of the sixty (60) day period, as the incidence of crime might warrant.

By Councilmember Schmidt:

YEAS: Belen, Benavides, Ford, Lindemann, Schmidt and Worthington

NAYS: Crawford

ABSENT: Adado

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Resolution #227
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-036 which authorizes the changing of the maximum speed limits on Forest Road.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #228
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-037 which authorizes the installation of a no parking zone on Gary Avenue south of Douglas Avenue.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #229
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-038 which authorizes the installation of a no parking zone on the south side of Shiawassee Street west of Sycamore Street.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #230
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Public Act 511 of 1988, the Community Corrections Act, enables counties and certain municipalities to establish local community corrections committees; and

WHEREAS, the Ingham County Board of Commissioners has contacted the City to express their conclusion that creation of such a committee, to develop local community corrections plans and alternative corrections programs, would help considerably in solving the chronic problems of jail overcrowding, crime, and corrections within limited available funds; and

WHEREAS, the Commissioners recently adopted a resolution authorizing establishment of such a committee and encouraging joint participation by the City of Lansing; and

WHEREAS, the Committee on Public Safety has reviewed the State law and the Commissioners' resolution, and recommends that the City Council adopt a resolution of intent to participate in a joint City/County Community Corrections Committee;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby expresses the intent of the City of Lansing to join with Ingham County in developing a mutual Community Corrections Committee.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #231
By the Committee on Public Services

WHEREAS, since the early 1900's the City of Lansing has developed a series of Five-Year Plans serving to provide structure and direction to the development of Parks and Recreation facilities owned and operated by the City of Lansing; and

WHEREAS, the most recent Five-Year Plan expired on December 31, 1989; and

WHEREAS, in order to receive State of Michigan funds for parks and recreation projects a valid Five-Year Master Plan and Capital Improvement Project List must be on file with the State Department of Natural Resources; and

WHEREAS, a new Master Plan, entitled "A View to the Future," has been developed by the Parks and Recreation Department and approved by the Park Board; and

WHEREAS, the Council Committee on Public Services has received and reviewed the proposed City of Lansing Five-Year Master Plan covering the years 1990-1994.

NOW, THEREFORE BE IT RESOLVED, that a section be added to the Master Plan addressing the issue of security at all park facilities; and

BE IT FURTHER RESOLVED, that inclusive of the added section addressing the issue of security at park facilities, the City Council of Lansing hereby adopts the 1990-1994 Parks and Recreation Master Plan and authorizes the submission of this document to Tri-County Regional Planning and the State of Michigan.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #232
BY COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, WMMQ Radio has requested a permit for waiver of City noise restrictions in accordance with Section 654.11 of the Code for open air entertainment each Friday from May 25, 1990, through August 31, 1990, between 11:30 a.m. and 1:30 p.m. in the 100 Block of the North Washington Mall; and

WHEREAS, as required by ordinance, property owners within 300 feet of the area where the entertainment is to be located were notified objections to the permit were made at the hearing; and

WHEREAS, the Committee on Public Services has reviewed the request, and concurred in the Mayor's recommendation for approval;

NOWE, THEREFORE BE IT RESOLVED the Lansing City Council hereby approves a special permit for waiver of noise level

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requirements in Chapter 654 of the City Code for WMMQ Radio for open air entertainment in the 100 Block of the North Washington Mall between the hours of 11:30 a.m. and 1:30 p.m. each Friday from May 25, 1990, through August 31, 1990.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #233
PUBLIC IMPROVEMENT II

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council dated February 5, 1990,

PROPERTY BENEFITED CURB AND GUTTER: All lands fronting on Jolly Road from Devenshire to Aurelius Road excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED STORM SEWER: All lands fronting on Jolly Road from Tranter to Aurelius Road excepting all public streets alleys and other land deemed not benefited.

PROPERTY BENEFITED SANITARY SEWER: All lands fronting on Jolly Road from 1501 East Jolly to the Conrail Railroad Right of Way excepting all public streets and alleys and other land deemed not benefited.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

ASSESSMENT ROLL NO. 319

	CITY & FED'L CONTRIB.	ASSESS. TO PROP. OWNER
CURB & GUTTER	17,434.00	50,526.40
SANITARY SEWER	0.00	28,499.30
STORM SEWER	20,540.15	135,125.00
OTHER COSTS	772,378.35	0.00
TOTAL COSTS	810,352.50	214,150.70

Project to be part of the Jolly Rd. Street Reconstruction project, P.S. #78014.

	Account Number
City Share of Storm Sewer $ 20,540.15	401 933615 973000 41413
City Share of C&G 17,434.00	403 933601 974100 42501
City Share of Other Costs 195,100.33	403 933601 974100 42501
F.A.U.S. Share of Costs 577,278.02	Federal Share
Assessment Roll #319 214,150.70	404 933601 974100 12054

That the Finance Director be authorized to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is authorized, to make special assessment installation rolls, based upon the bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #234
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing has entered into an Urban Homesteading Agreement with the U. S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Urban Homesteading Procedures approved by the Mayor on April 28, 1983, and Section 208.01 of the Code of Ordinances of the City of Lansing require City Council approval to include houses in the program; and

WHEREAS, the Grand Rapids Insuring Office has indicated the availability of a property for inclusion in the Urban Homesteading Program: 1527 Linval Street legally described as Lot 39 Torrance Farm Addition; and

WHEREAS, City staff has inspected the property located at 1527 Linval Street and has recommended its purchase for inclusion in the Urban Homesteading Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the purchase of 1527 Linval with Section 810 funds, be and is hereby approved.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #235
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Robert J. Hull to the Board of Zoning Appeals for a term to expire June, 1993, is hereby confirmed.

Motion by Councilmember Lindemann to amend resolution to read By the Committee on Physical Development:

Carried unanimously; Councilmember Adado absent

Motion by Councilmember Benavides to adopt the resolution:

Carried unanimously; Councilmember Adado absent

Resolution #236
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Garry Goolsby to the Planning

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Board for a term to expire June, 1991, is hereby confirmed.

Motion by Councilmember Lindemann to amend resolution to read By the Committee on Physical Development:

Carried unanimously; Councilmember Adado absent

Motion by Councilmember Benavides to adopt resolution:

Carried unanimously; Councilmember Adado absent

Resolution #237
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jack A. Ailles has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (B) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Jack A. Ailles.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

Resolution #238
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Roger Michael Belen has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (D) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Roger M. Belen.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

Resolution #239
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Barney R. Mason has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant had been convicted of a felony or one or more sex related misdemeanors within five years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (6) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Barney R. Mason.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

Resolution #240
BY COUNCILMEMBERS WORTHINGTON AND SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the residents of Forest Road have requested that their road be designated as a Scenic Corridor as permitted by Chapter 1032 of the City Code; and

WHEREAS, a public hearing has been conducted as required, and the Council finds sufficient reason to so designate Forest Road; and

WHEREAS, residents have further requested that as part of the Scenic Corridor designation, the Council approve the following development and preservation guidelines:

1. More aesthetic street lighting.
2. Street to remain two lanes.
3. No installation of curb and gutter.
4. Paved bicycle lanes at the edge of the roadway.
5. Restoration of the tree canopy.
6. Underground utilities.
7. Vigorous enforcement of the posted speed limit and the prohibition of truck traffic.
8. Keep City property (Fenner Arboretum) clear of underbrush at edge of roadway so Forest Road traffic can see the Arboretum's buffalo.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby designates Forest Road from Aurelius Road to the eastern City limit as a Scenic Corridor; and

BE IT FURTHER RESOLVED the Council approves the above-mentioned development and preservation guidelines for Forest Road.

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Motion by Councilmember Worthington to accept substitute resolution:
Carried unanimously; Councilmember Adado absent

Motion by Councilmember Worthington to adopt resolution:

Carried unanimously; Councilmember Adado absent

Resolution #241
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, nearing his 87th birthday, KEITH B. GRANGER is the patriarch of a prominent, close-knit Lansing family that has grown to 13 grandchildren and 14 great-grandchildren; and

WHEREAS, Granger Construction Company was incorporated in 1960, with Keith Granger and his sons Alton, Ronald and Jerry providing comprehensive construction services throughout mid-Michigan, and this firm's success led to expansion and six more Granger companies; and

WHEREAS, most of the family businesses concentrate on solid waste management, disposing of more than 95 percent of the solid wastes in the Tri-County area through their two landfills, a container service, and a recycling center; and

WHEREAS, the Granger family has always shown a strong sense of community service, beginning with a mechanical hoist developed by Keith Granger that helped the City Market be be built at a substantial savings, to the present-day Feline/Primate House at Potter Park Zoo, which is a showcase exhibit, thanks in large part to the generous contribution and construction management skills of Granger Construction Company, plus many other contributions to local causes over the years;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 7th day of May, 1990, hereby recognizes members of the KEITH B. GRANGER family for their outstanding service to the Greater Lansing community, and all of their efforts that have enhanced the quality of life in our City.

By Councilmember Ford:

Carried unanimously; Councilmember Adado absent

Resolution #242
BY COMMITTEE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Area Kiwanis Club has been providing an excellence in service and projects, assisting the community of Lansing for 75 years; and

WHEREAS, the Kiwanis Club maintains the mission and directive in helping towns, villages and cities develop certain needs, while exemplifying the true meaning of Kiwanis "We Build"; and

WHEREAS, as the Lansing Area Kiwanis Club membership approaches 500, they will be conducting the Annual "Peanut Days" to continue the public service projects in which they have always loyally supported; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes May 11 and 12, 1990, as the Annual "Peanut Day Fund Drive" for the Lansing Area Kiwanis Clubs,

BE IT FINALLY RESOLVED, that the Lansing City Council honorably commends the Lansing Area Kiwanis Clubs for their 75 Years of tremendous service and support to the City of Lansing.

By Councilmember Ford:

Carried unanimously; Councilmember Adado absent

Resolution #243
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Single Parent Family Institute is a non-profit organization responding to the needs of single parents. Encompassing education and employment to improve conditions for families who desire to move from dependency to self-sufficiency.

WHEREAS, a model program, taking two years to complete, focuses on the total social and economic needs of a single parent. Working individually toward specific vocational and educational activities, the single parent is able to stabilize their personal, educational and career paths.

WHEREAS, a core of eight companies cooperatively provides potential internship in employment settings, augmented by placement opportunities with area companies, whereby allowing a climate to stimulate personal growth, but also developing a motivated, dependable pool of entry level employees.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby commends the Single Parent Family Institute for their efforts in defining personal development for single parents, uniquely uncovering ones condition of self sufficiency.

BE IT FURTHER RESOLVED, that the Lansing City Council proudly supports the Single Parent Family Institute as a tremendous asset to the Lansing Community.

By Councilmember Ford:

Carried unanimously; Councilmember Adado absent

Resolution #244
SIDEWALK RESOLUTION

Resolved, by the City Council of the City of Lansing

WHEREAS, the Lansing City Council ordered on April 23, 1990 that public improvements in the form of sidewalk repairs or construction be made pursuant to Chapters 1024.03 of the Code of Ordinances in front of and adjacent to properties located on the streets in the City of Lansing;

PROPERTY BENEFITED: All lands bounded by Lindergh Dr., Mt. Hope Ave., Sunnyside, Lincoln, Clifton, Healthcare Ct., and Pennsylvania Ave.; excepting all public streets and alleys and other land deemed not benefited.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. B-47

	CITY CONTRIB.	ASSESS. TO PROP. OWNER
SIDEWALK REPAIRS	169,191.90	52,840.25
TOTAL COSTS	169,191.90	52,840.25

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Project to be part of the 1989 Sidewalk Contract #1, construction project, P.S. #57055.

WHEREAS, the City Assessor has prepared the assessment roll for each property to be assessed for said sidewalk construction and repair improvement and has caused said assessment roll to be placed on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, May 21, 1990, at 7:00 p.m., in the School Board Meeting Room, Lansing School Board Administrative Building, 519 W. Kalamazoo Street, Lansing, Michigan, to review, prior to confirmation, said special assessment roll for sidewalk construction and repairs pursuant to PS 57055.

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c)(1), of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin boards at First Floor Lobby, City Clerk's Office, and Council Chambers of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner, respectively, for each of the properties adjacent to, or in front of, where such sidewalk improvement was made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts #403 933601 974100 42217 and 403 933601 974100 42201.

Charles S. Remenar, Deputy Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

ResoLution #245
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: May 4, 1990
SUBJ: Request for Public Hearing regarding Attractive Nuisance

The attached request for public hearing regarding a notice sent to Anthony Paradise concerning a large excavation filled with water, is hereby submitted with my concurrence for your review and appropriate action. The hearing is requested for May 21, 1990.

Resolution by the City Council, City of Lansing, to set a public hearing for May 21, 1990 regarding the Attractive Nuisance:

Motion by Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage.

CONSIDERATION OF LATE ITEMS

1/ Letter from John Steinway of 511 Shepard Street opposing the proposed property tax increase.

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Letter from Mayor Terry J. McKane regarding the Forest Road Scenic Corridor.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ Letter from Mayor Terry J. McKane requesting a Public Hearing be set for May 21, 1990 regarding an Attractive Nuisance.

(SEE RESOLUTION #244)

4/ Letter from Brian J. Ferrier of 2509 Martin Luther King/Logan regarding excessive speeding on King/Logan between Mt. Hope Avenue and Holmes Street.

REFERRED TO THE MAYOR AND THE TRAFFIC DEPARTMENT

5/ Resolution requesting a Public Hearing for May 21, 1990 regarding Sidewalk Assessment Roll #B-47

(SEE RESOLUTION #245)

6/ Councilmember Worthington requested a discharge of the Committee Report for the Forest Road Scenic Corridor

Motion by Councilmember Worthington to discharge the Committee Report for the Forest Road Scenic Corridor:

Carried unanimously; Councilmember Adado absent.

7/ Councilmember Worthington requested the Introduction of an Ordinance regarding the Historic District Designation for the Ottawa/Walnut District

Councilmember Worthington withdrew this suspension item and will submit it for the next Council meeting.

MOTION OF EXCUSED ABSENCE

Councilmember Benavides moved that Councilmember Adado be excused from this session of City Council.

Carried unanimously.

PUBLIC MAY COMMENT

Muhammed Frank Curtis spoke stating that he felt the adult bookstores and theaters should be allowed to locate wherever they desire.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane wished to remind everyone that this is the last week for spring leaf pickup.

The Mayor also stated that he hoped the citizens of Lansing would

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be able to sort out fact from fiction from statements made tonight regarding the proposed property tax increase and the 1990-1991 budget.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt stated that the Cedar Street Widening Project is proceeding very well. She also wished to thank everyone for their support of the Scenic Corridor Designation for Forest Road.

Councilmember Benavides announced that there will not be a meeting of the Commitee on Ways and Means on May 8, 1990. He also requested the Mayor to follow up on an earlier request for speed check counters and signs stating "No Trucks Allowed" on West Ionia.

Councilmember Ford wished to thank citizens who attended this meeting to voice their support or opposition to the proposed property tax increase and the 1990-1991 budget.

Councilmember Belen stated that she had received a large number of letters from pupils at Children's House Montessori School regarding recycling and wished to extend her thanks to them.

Councilmember Belen also informed everyone that beginning next Monday, May 14, 1990, the Council meetings will be held at the Lansing Board of Education Meeting Room, First Floor, 519 W. Kalamazoo until further notice.

COUNCIL PRESIDENT BELEN:

Council adjourned at 10:20 P.M.

JAMES D. BLAIR, CITY CLERK

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, May 14, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
May 14, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington. Councilmember Benavides left at 7:15 P.M.

ABSENT: Councilmember Adado and Councilmember Benavides (for part of the session)

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

Council President Belen announced that Lou Adado's doctors have requested that he not have visitors for the next three or four days; he is doing well but has had too many visitors. She also announced that Pat Boyd, retired employee of the Public Service Department, passed away this morning. Council President Belen presented a gift from Councilmembers to Councilmember Worthington on the occasion of his wedding. Council President Belen also announced that Councilmember Benavides would be leaving the session to present the Council resolution honoring the Granger family to them this evening.

Motion by Councilmember Benavides to accept the printed Council proceedings for April 23, 1990.

Carried unanimously.

By Councilmember Ford:

That we suspend the rules to accept the following:

1/ Letter from Dick Neller, President of Walter Neller Company, supporting the proposed 2.5 mill property tax increase.

Carried unanimously.

PUBLIC HEARINGS

A. May 14, 1990, at 7:00 o'clock P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on Public Improvement III—Special Assessment Roll #317 for Sanitary Sewer Improvements.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the Assessment Roll, they would have the privilege of speaking at this time.

David Rapelse of 3227 Leawood spoke on behalf of his grandmother. He stated he does not feel his grandmother needs this work to be done and requested a release from her assessment.

There were no other speakers for this public hearing.

REFERRED TO COMMITTEE ON PHYSICAL DEVELOPMENT

B. May 14, 1990, at 7:00 o'clock P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on a proposed amendment to the Traffic Code eliminating "Police Cars Only" parking on the North side of the 100 Block of W. Michigan Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the Assessment Roll, they have the privilege of speaking at this time.

REFERRED TO COMMITTEE ON PUBLIC SERVICES

There were no speakers for this public hearing.

PUBLIC COMMENTS

There were no Public Comments.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford:

That Communications and Petitions be considered read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

A. Z-11-90 Petition for Rezoning 3113 N. East Street from "A" Residential to "F" Commercial District.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Notice received from Department of Natural Resources regarding Construction of a 56 feet by 80 feet Duplex within the 100-Year Floodplain of Sycamore Creek.

RECEIVED AND PLACED ON FILE

C. Letter from Paul Shaheen of 318 West Ottawa supporting the Historic Designation for the Ottawa/Walnut District.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Letter from Rose Marie DeLand, President of the M.I.B.A. Board requesting Space in the Foster Community Center for programs of the Lansing Indian Center.

Councilmember Lindemann asked R. Eric Reickel of the Parks Department to allow him to attend any meeting discussing this issue.

REFERRED TO THE MAYOR

E. Letter from Phyllis Brokaw of 2309 Tulane Drive opposing the Proposed Property Tax Increase

REFERRED TO THE COMMITTEE OF THE WHOLE

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F. Letter from Dean Kimmith, Secretary of the Greater Lansing Housing Coalition, supporting, $60,000 included in the Budget for a study of Lansing's Housing Needs

REFERRED TO THE COMMITTEE OF THE WHOLE

G. Petition received in Support of retaining Downtown Sidewalk Vendors

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. Letter from Donald Suttles, President of Diversified Environmental Services, providing Information on Curbside Recycling

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT COMMENTS

Mr. Boyd commented on Mayor McKane's letters E3, E7, E8, Ell and E12. Councilmember Ford requested that some communication be provided to the Westside neighborhood residents as to why the barricades are being removed.

CITY OFFICER AND BOARD REPORTS

A. **Resolution #246**
May 14, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: George Ernest Szymanski, Ronald Carpenter Hemman, John Louis Terberg, Rickey McCray, Chris Laverne Brisboy, Jr., Richard C. Miller, Ronald Duffield, Forest Edward Smith, Todd Beacham
RUBBISH HAULER: Allied Disposal Company
SECOND HAND DEALER: Gerald Wayne Pennell
SIGN ERECTOR: Stanley L. Martin, J. D. Wisner Electric, Stamp Rite, Inc., Cecil Marr Electric, Amor Sign Studios, Inc.
CABARET LICENSE: Bootleggers Live, Colonial Bar, Inc., Holiday Inn

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Vote 6/0 with Councilmembers Adado and Benavides absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 7, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk notifying the Mayor and Councilmembers of a Dangerous Situation on West Michigan Avenue in front of the Jury Rowe and Police Department Buildings

REFERRED TO THE MAYOR

D. Letter from the City Clerk notifying the Mayor and Councilmembers of a Potentially Dangerous Situation along the River Trail

REFERRED TO THE MAYOR

E. Letters from the Mayor re:

1. Petition for Curb and Gutter on Bliesener Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Public Improvement I for Construction of Curb, Gutter, Storm Sewer and Sanitary Sewer on South Cedar Street—Cavanaugh Road to Robert Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Barricade Report—Vivian Riddle School Area

RECEIVED AND PLACED ON FILE

4. ACT-11-90 South Pennsylvania Avenue Median Planning Board Recommendation

RECEIVED AND PLACED ON FILE

5. ACT-4-90 Skye View Subdivision, Release of Easement

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. ACT-12-90 Michigan Department of Management and Budget: Use of Pine, Kalamazoo and Sycamore Streets Right-of-way

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Homestead Purchase: 526 North Butler

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Homestead Purchase: 607 and 1111 Walsh

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9. ACT-10-90 100 Block of West Michigan Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10. ACT-1-90 Collins/Forest Roads

11. **Resolution #247**
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: May 10, 1990
SUBJ: Trash Violation Fee (V-20), $1,451.54

The attached list of trash violation/assessment fees is being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Vote: 6/0 with Councilmembers Adado and Benavides absent

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12. Appointment of Helen Schneiderman to Police Community Relations Advisory Board

RECEIVED AND PLACED ON FILE

13. **INTRODUCTION OF ORDINANCE**

1991 PARKING RATES

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider an amendment providing that Section 9.3.5 of the Code of Ordinances of the City of Lansing, Michigan, be amended to change the parking rates.

By Councilmember Lindemann:

Resolution #248
RESOLUTION SETTING PUBLIC HEARING
1991 PARKING RATES

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, May 21, 1990 at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of opposing and/or approving an amendment to Section 9.3.5 of the Code of Ordinances of the City of Lansing, Michigan pertaining to a change in 1991 parking rates.

By CouncilmemberLindemann:

VOTE: 6/0 with Councilmembers Adado and Benavides absent

14. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #249
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1223 Shepard, legally described as:

3301 22 282 061
Lot Two Hundred Eleven (211), City Park Subdivision
City of Lansing, Ingham County

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing officers on March 22, 1990 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said hearing officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on May 7, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution May 14, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed ro proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

May 14, 1990
By Councilmember Lindemann:

Vote: 6/0 with Councilmembers Adado and Benavides absent

Resolution #250
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2816 W. Miller Road, legally described as:

3305 06 455 131
Com. 652 ft., E of S ¼ post, Th. N. 275 ft., E 82.5 ft., N. 55 ft., E 82.5 ft., S 330 ft., W 165 ft., to Beg.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held hy the Hearing Officers on March 22, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on May 7, 1990, to review the findings and order of the Hearing Officers and the

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owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution May 14, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located: and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Vote: 6/0 with Councilmembers Adado and Benavides absent

Resolution #251
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, the Lansing School District, 517 W. Kalamazoo Street, Lansing, Michigan 48933, has granted an easement to the City of Lansing for the construction maintenance, inspection, repair, and replacement of the Maplewood School Pedestrian Overpass in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

That south 30 feet of the east 40 feet of lot 15, Assessor's Plat No. 43.

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #202 933601 974100 12000 Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

Vote: 6/0 with Councilmembers Adado and Benavides absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

OTTAWA/WALNUT HISTORIC DISTRICT DESIGNATION

By Councilmember Worthington:

Resolved by the Committee on Physical Development. The Committee reported that it considered an ordinance providing that Part 12, Title 2 of the Code of Ordinances of the City of Lansing, Michigan, be amended by an ordinance in accord with Section 1220.02(k) to provide for a Historic District Designation of an area located in the City of Lansing, Michigan, to be known as the Ottawa/Walnut Historic District.

By Councilmember Worthington:

That this be considered as being read in its entirety.

Carried

By Councilmember Worthington:

Resolved by the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be revised by an ordinance to amend Part 12, Title 2 in accord with Section 1220.02(k) to provide for a Historic District Designation of an area located in the City of Lansing which is to be known as the Ottawa/Walnut Historic District be now passed.

YEAS: Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado, Benavides

ORDINANCE #815
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE HISTORIC DESIGNATION OF AN AREA LOCATED IN THE CITY OF LANSING, MICHIGAN.

The City of Lansing ordains:

Section 1. That a Historic District as defined by Chapter 1220.02(k) of the Code of Ordinances of the City of Lansing, Michigan, be established as follows:

To confer Historic District status on the Ottawa/Walnut Street Area described as follows:

Addresses: 318 W. Ottawa; 320 W. Ottawa; 322 W. Ottawa; 326 W. Ottawa; 328 W. Ottawa and 208 N. Walnut

Legal Description: Lots 7 and 8 Block 94, Original Plat, City of Lansing, Ingham County, Michigan

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take immediate effect.

CONSIDERATION OF LATE ITEMS, IF ANY

1/ Letter from Dick Neller, President of Walter Neller Company, supporting the proposed 2.5 mill property tax increase.

REFERRED TO THE COMMITTEE OF THE WHOLE

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Worthington to excuse the absence of Councilmembers Adado and Benavides from this session.

Carried unanimously.

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PUBLIC COMMENTS

Russell Greear of 1517-½ Bailey asked the Mayor's Office and the City Attorney what action has been taken regarding his petition for removal of drug paraphenalia from shops in his neighborhood. City Attorney Al Knot responded that part of the petition concerned a change to the Ordinance and they have determined that a change in the Ordinance is not necessary as it already addresses the issue raised. The matter is being referred to the proper areas for action.

Steve Johnson, a resident of the Westside Neighborhood Assocation area, wanted to know why some of the barricades are being removed from this neighborhood. Councilmember Ford responded that he will be following up with the Mayor's Office on this matter to get an answer for the neighborhood.

Muhammed Frank Curtis stated that he felt the citizens of Lansing needed to work together.

David Anderson, owner of property involved in the Ottawa/Walnut Historic District, thanked Council for the Historic District designation and reviewed their plans for renovation.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd wished to extend the City's sympathy to the family of Pat Boyd, retired employee of the Public Service Department.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt wished to thank the Lansing School District for providing their facility for holding the Council meetings while the asbestos is being removed from Council Chambers at City Hall.

Councilmember Ford stated that he has received several complaints about the noise levels from the Melling Drop Forge.

Councilmember Lindemann stated that the Committee meeting regarding the licensing of downtown vendors will be postponed for one week due to the budget meetings.

COUNCIL PRESIDENT BELEN:

Council adjourned at 7:55 P.M.

James D. Blair, City Clerk

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THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, May 21, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
May 21, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Lindemann.

Motion by Councilmember Schmidt:

To accept the printed Council proceedings for April 30, 1990.

Carried unanimously; Councilmember Adado absent.

By Councilmember Worthington:

That we suspend the rules to accept the following:

1/ Petitions received by Councilmember Ford regarding the removal of barricades on Allegan Street

2/ Letter received by Councilmember Benavides regarding Parks & Recreation baseball fields

3/ Councilmember Schmidt submitted an item from Councilmember Adado and requested that it be read into the record at the time of action on the budget resolution

4/ Councilmember Lindemann submitted a letter received from Max Martens regarding region wide composting

5/ Councilmember Worthington submitted a resolution for a public hearing for a special assessment

6/ Councilmember Crawford requested that Frederick Abood be allowed to speak prior to the scheduled public hearings

Carried unanimously; Councilmember Adado absent.

Frederick Abood, Attorney, addressed the Council on behalf of several Michigan State University football players who had been involved in an altercation at Tango's.

PUBLIC HEARINGS

A. May 21, 1990, at 7:00 o'clock P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on Z-6-90 100-200 Blocks Friendship Circle to be rezoned from "DM-2" Residential District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. May 21, 1990, at 7:00 o'clock P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on Z-4-90 4200-4220 South Cedar Street to be rezoned from "A" Residential District and "F" Commercial District to "F" Commercial Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. May 21, 1990, at 7:00 o'clock P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on Special Assessment Roll #B-47 for Sidewalk Construction and Repair.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessments, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. May 21, 1990, at 7:00 o'clock P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on Amending Part IV Chapter 9.3.5 of the Code of Ordinances to revise parking fines.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessments, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

The following spoke in support of placing the issue of public curbside recycling on the August ballot:

Howard Jones of 426 W. Barnes

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Marilyn Shapiro of 223 N. Foster
Mary Sapinsky of 1206 Parkview
Sue Eby of 130 Island
Steve Manchester of 514 Westmoreland

The following spoke in opposition to the budget resolution on the agenda:

Russell Greear of 1517-½ Bailey
Dale Dobberstein of 916 W. Cavanaugh
Hulon Benson of 1018 W. St. Joseph
Muhammed Frank Curtis

Robert Leija of 3346 N. Waverly asked for Council's assistance with a notice to quit from his residence. He stated that he has completed an appeal with the Lansing Housing Commission but needs help. This matter was referred to the Mayor and the Committee on Ways and Means.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously.

A. Letter from Michele Kreisler-Hull of 4622 Donald Street protesting the rules determining usage of City Fire Department Ambulances

REFERRED TO THE CITY ATTORNEY

B. Letter from Larry and Kay Webbof 1940 Byrnes Road supporting the proposed Ordinance for Cats

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

C. Letter from Basile Baumann Prost & Associates requesting their firm be added to the City mailing List for Real Estate Development-/Economic Consultants

REFERRED TO THE MAYOR

D. Letter from Donald W. Nobach and Leonard Stuttman thanking City Council for their support of Earth Day, 1990

RECEIVED AND PLACED ON FILE

E. Letter from Kenneth Stern of the Ingham County Department of Development requesting the support of City Council for a county-wide Recycling Industrial Development Policy

REFERRED TO THE COMMITTEE OF THE WHOLE

F. Letter from Priscilla Holmes of 1801 West Main Street regarding Paint Blitz '90

RECEIVED AND PLACED ON FILE

G. Letter from Warner Dyer of the Greater Lansing Board of Realtors requesting postponement of Proposed Property Tax Increase until Further Public Debate

REFERRED TO THE COMMITTEE OF THE WHOLE

H. Request from Child and Family Services of Michigan for Non-profit Status

REFERRED TO THE CITY ATTORNEY

I. Letter from Byran Morris of the Department of Natural Resources regarding Request for Reissuance of Permit #886026R for Lancen Village South # 5

REFERRED TO THE MAYOR

J. Application for Beer and Wine Sales for the Engler for Governor Committee

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

K. Z-12-90 Petition for Rezoning 2416 N. East Street from "B" Residential to "F" Commercial

REFERRED TO THE MAYOR AND THE PLANNING BOARD

L. Letter from Glenn Tarrant of Peckham Vocational Industries regarding the lack of Communication Received from the Board of Water & Light regarding Repairs to Water Mains

RECEIVED AND PLACED ON FILE

M. Request from the Michigan Association for Local Public Health for Non-profit Status

REFERRED TO THE CITY ATTORNEY

N. SLU-6-90 2125 Lyman Drive to Increase the Number of Residents at an Adult Foster Care Home from 6 to 7 Residents

REFERRED TO THE MAYOR AND THE PLANNING BOARD

O. Z-13-90 Petition for Rezoning 3405 N. East Street from "A" Residential to "G-2" Wholesale

REFERRED TO THE MAYOR AND THE PLANNING BOARD

P. Petition received from Residents of Ingham Street and Greenbelt Drive requesting Stop or Yield Sign on the East or West Corner of Greenbelt Drive

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

MAYOR or
EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane discussed letter XD1 covering the Dun & Bradstreet report and reviewed all his other letters on tonight's agenda. Councilmember Ford asked the Mayor if it was true that there is no minority member on the Board of Review. The Mayor responded that this is true and that he is in search of a minority person for this Board at the present time.

CITY OFFICER AND BOARD REPORTS

A. **Resolution #252**
May 21, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely

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processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Dennis Lee Darling, Timothy Douglas Hoot, James Lewis Bancroft II, John LaPointe, Kenneth A. Garland, Eveon Letha Brown

RUBBISH HAULER: Richard A. Mulchison

SIGN ERECTOR: American Displays, Inc., Cornell Sign Company

WRECKER SERVICE: Earl E. Thompson, Mary Ann Stowe, Fred Phifer, John Wood, William H. Davin, Bobbie Joe Finley, Sr., David S. Hidy

TRANSFER LIQUOR LICENSE: Rocky's Teakwood Lounge, Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 14, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk informing Councilmembers of Signatures Submitted on a Petition Drive by Citizens for Public Recycling

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Dun & Bradstreet Report and Plan Reviews for April, 1990

RECEIVED AND PLACED ON FILE

2. Recommendation supporting Resolution for Public Hearing Regarding 511 Hylewood Avenue and 1241 Clark

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. Annual Report for FY 89 for the Capital Area Transportation Authority

RECEIVED AND PLACED ON FILE

4. Barricade Report for Vivian Riddle School Area and Eastside Area

RECEIVED AND PLACED ON FILE

5. **Resolution #253**
May 17, 1990
Council President Lucile Belen and City Councilmembers
l0th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

At the request of the Hispanic community, I, as Mayor, organized a committee to explore the possibility of establishing a Sister City relationship with Guadalajara, Jalisco, Mexico.

Lansing Community College has signed a Sister College Agreement with Universidad Autonoma de Guadalajara and the Lansing Regional Chamber of Commerce will be signing on June 14, 1990. It has been proposed that the Sister City Agreement be signed on June 13, 1990. A delegation from Lansing will be in Guadalajara for these signings. The State of Michigan is exploring a Sister State relationship.

I have accepted the invitation of Presidente (Mayor) Covarrubias Ibarra to go to Guadalajara for the signings. Presidente Ibarra has also extended an invitation to a representative from the Lansing City Council. I hope that you will be able to send a member from the Council.

Before the committee finalized any agreement, which is still incomplete, I asked City Attorney Al Knot to issue an opinion on the proposed agreement. After careful study and consideration, Mr. Knot determined that there isn't anything in our City Charter or City Ordinances which would prohibit the proposed Sister City relationship.

Guadalajara is very interested in a business, cultural and educational exchange. I believe our cities would benefit greatly from this relationship, and so I am asking for your concurrence with this proposed relationship.

Sincerely,
Terry J. McKane
Mayor

REFERRED TO THE COMMITTEE OF THE WHOLE
By Councilmember Benavides:

Resolution by the City Council, City of Lansing, to approve the sister city relationship.

Carried unanimously; Councilmember Adado absent.

6. Financial Statements of the City Funds—March 31, 1990

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7. North Lansing Historic District "Anchor Project"

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Proposed Acquisition of Property—300 Block of Hill Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9. Transfer of Employment Request—City of Williamston Midway Engraving

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

10. **Resolution #254**
May 17, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

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Dear President Belen and City Councilmembers:

I herewith submit for your approval the reappointment of John Mertz to the Board of Ethics.

This term will expire June, 1994.

Your confirmation of this reappointment will be appreciated.

Sincerely,
Terry J. McKane
Mayor

By Councilmember Lindemann:

To excuse Councilmember Schmidt from this vote.

Carried unanimously; Councilmember Adado absent.

By Councilmember Lindemann:

YEAS: Belen, Benavides, Crawford, Ford, Worthington

NAYS: Lindemann

ABSENT: Adado

EXCUSED:Schmidt

11. **Resolution #255**
May 17, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

I herewith submit for your approval the reappointment of E. Lane Jessop to the Board of Water and Light.

This term will expire June, 1994.

Your confirmation of this reappointment will be appreciated.

Sincerely,
Terry J. McKane
Mayor

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent.

12. **Resolution #256**
May 17, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

I herewith submit for your approval the reappointment of Richard Stuckman to the Building Board of Appeals.

This term will expire June, 1994.

Your confirmation of this reappointment will be appreciated.

Sincerely,
Terry J. McKane
Mayor

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent.

13. Resignation of Mary Wilkinson from the Traffic Board

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #257
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of David O'Leary to the Board of Water and Light Board for a term to expire June, 1993, is hereby confirmed.

8y Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #258
BY COMMITTEE OF THE WHOLE:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council determines that it is necessary for the public health, safety and welfare of the City to raise additional money for operation of the City's parks and recreation system; and

WHEREAS, under Act 156. Public Acts of Michigan, 1917, the City may vote funds sufficient to operate a public recreation system; and

WHEREAS, the City has applied to the State of Michigan for a number of grants to assist the City in the operation of its parks and recreation system; and

WHEREAS, if the voters approve the millage, the additional monies raised by the millage would be available to match the monies provided through the State of Michigan grants;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. At the Primary Election which is to be held in the City on Tuesday, August 7, 1990 between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m., there shall be submitted to vote of the qualified electors of said City the proposition of levying an additional one mill for operation of the City's parks and recreation system.

2. The proposition to be submitted at said election shall be stated on a separate ballot, or as a separate proposition on voting machines, in substantially the following form:

PROPOSAL TO LEVY ONE MILL FOR OPERATION OF PARKS AND RECREATION SYSTEM

Shall the City of Lansing, Counties of Ingham and Eaton, Michigan, levy an additional one mill ($1.00 per $1,000) for five years, commencing July 1, 1991 on all taxable real property in the City of Lansing for the purpose of operating the City's parks, zoo and recreation system?

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3. The City Clerk shall cause notice of the submission of said proposition to be given at such times and places as other notices regarding the last day of registration and notice of election for the Primary Election to be held August 7, 1990 are given in accordance with Michigan law.

4. If the millage is approved by the voters on August 7, 1990, any grants pertaining to Potter Park, the City Market, the River Trail, and Moore's Park awarded to the City by the State of Michigan before July 1, 1991 for the operation of its parks, zoo and recreation system shall be accepted by City Council.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #259
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (the "City") owns and leases recreational facilities which the City operates as municipal golf courses; and

WHEREAS, in accordance with the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended ("Act 31"), the City has previously established the City of Lansing Building Authority (the "Authority") for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefore, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for use for any legitimate purpose of the City; and

WHEREAS, Section 9 of Act 31 provides that for the purpose of accomplishing the objects of its incorporation the Authority may acquire real property, and that the City may transfer real property owned by the City to the Authority; and

WHEREAS, the Council determines it to be in the best interest of the City to transfer to the Authority all of the City's right, title and interest (including leasehold interest) in the following recreational facilities: Groesbeck Golf Course, Red Cedar Golf Course, Sycamore Golf Course, and Waverly Golf Course, together with appurtenant properties and facilities (the "Recreational Facilities");

NOW THEREFORE BE IT RESOLVED THAT:

The Mayor is hereby authorized to convey all of the City's right, title and interest (including leasehold interests) in the Recreational Facilities to the Authority by execution and delivery of deeds and other documents in form and substance satisfactory to the City Attorney.

2. Upon conveyance of the Recreational Facilities the Authority shall operate the Recreational Facilities in accordance with its rules and the Authority may contract with the City for use of City employees and staff to operate and maintain the Recreational Facilities.

3. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same are hereby rescinded.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Councilmember Schmidt made the following comments prior to the vote on the budget resolution:

I appreciate very much the many letters and phone calls about the budget I have received from people in the Second Ward and elsewhere. My vote tonight is an attempt to respect the wishes of my constituents and still meet my responsibilities as their Councilperson.

As I sat through the many budget work sessions, and as I read the background material at home, I came to realize that our City is at the junction of a major crossroad. One path preserves the lowest possible tax rate, regardless of the effect on City facilities and services. The other path requires a continuing investment to preserve the facilities and services that make people feel at home here.

I saw with my own eyes the holes in the ceiling of a fire station where our paramedics and firefighters eat and sleep. In the front office of the fire station, where the public meets our personnel, I saw chairs so old and worn that the sponge rubber padding was hanging out. I saw rafters exposed over the kitchen stove where they prepare their food.

This fire station is their home while they are on duty. At any moment, they dash off to save our lives and property. It is more than a job to them. They feel a deep commitment to life and to safety. When I see them in action, I feel pride and a commitment of my own to give them the facilities and equipment they need to do their jobs to the best of their ability.

This City Council and Mayor, along with past Councils and Mayors, have built facilities, bought equipment, and hired staff to provide necessary services to the people of Lansing. Age has caught up with many of our facilities and pieces of equipment. To fix or replace costs money —big money— yet we must find the money if our services are to continue. With no help from Washington, and very little from the State Legislature, we are more on our own now than at any time since the 1960's.

Therefore, I participated in a compromise. A small property tax increase keeps our services going and also allows the fix-up and replacement to begin. Another part of the compromise obligates 2 percent of future General Fund budgets to roads, sidewalks, bridges, building maintenance, and major equipment purchases.

This is the beginning step on the long road back. I think the action of the Council tonight gives us all the reassurance that we are protecting our City from decay.We also agreed to use the Zero Base Budgeting process as a tool to provide good budget management and to find ways to save money without hurting services. I have seen this process in action and I firmly believe it will help this City Government better manage its resources in future years.

With the job of elected official comes a fiduciary responsibility to protect the assets of the governmental unit. We identified many real and critical needs during this budget process. To ignore these needs or defer them to future years is a short-term expedient that

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has been used too many times in recent years. If we don't begin now to face up to the real facts, we never will. I sincerely hope that the Second Ward residents who sent me to City Hall will understand what I have done and why. I further hope that if my constituents were ever to be faced with similar circumstances, they would act in the same manner for the good of the City, now and in the future. Thank you.

TO: Council President Lucile Belen & Fellow Councilmembers
FROM: Vice-President, Louis Adado
RE: Budget Wrap-Up
DATE: 5/21/90

Between Fiscal Year 1987-88 and the proposed budget for Fiscal Year 1990-91, General Fund Revenues are projected to increase from $60,193,909 (Fiscal Year 1988 actual) to $76,417,094 (Fiscal Year 1991 projection). This is an increase of 27% or 9% per year. The average resident of the City would be thrilled to receive a 9% raise every year.

However, within the confines of City Hall, this situation is represented as a serious financial matter, as was last year's budget and this year's budget. Yet, like this year, I am confident that once passed, additional available funds will be discovered for computer equipment, office equipment, and department head raises. In this Fiscal Year, such costs have totalled almost $1 million.

Herein lies the problem. If the budget is tight, then tough decisions need to be made by the Chief Administrator of the City. Yet, none are forthcoming. No consolidations, no staff reductions, no efficiencies. Such decisions are left entirely to the City Council.

Conversely, when dollars are suddenly discovered, and I am sure they will be, the recommendation will not be to increase services to the public, but to increase administration.

My priorities are, first and foremost, services to the public. The Council's established priorities are services to the public. The Mayor's recommended budget does not reflect these priorities. Sometimes, tough decisions need to be made. The Mayor does not do so. For these reasons, I cannot vote for the Mayor's budget as submitted.

Resolution #260
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has proposed a budget for FY 90-91 which the City Council believes does not adequately provide for the essential infrastructure needs of the City and recycling efforts; and

WHEREAS, the cost and magnitude of the needed infrastructure improvements cannot be adequately addressed within the operating tax rate proposed by the Mayor; and

WHEREAS, the needs for infrastructure and combined sewer overflow require and will receive action by the City; and

WHEREAS, the City Council has spent many days and weeks reviewing the budget and these infrastructure issues; and

WHEREAS, the City Council has received both public input and recommendations from citizen boards on the proposed budget; and

WHEREAS, the City Council has held a public hearing to receive further input on the Mayor's recommended budget, as well as proposed Council changes; and

WHEREAS, the City Council has made prolonged and in-depth review of the budget prior to concluding that funds are not available already within the budget to address infrastructure needs unless other needed services are eliminated; and

WHEREAS, the City Council believes its proposed budget and tax rate will best serve the citizens of Lansing and help make and keep Lansing a community where people want to live and work;

NOW, THEREFORE, BE IT RESOLVED, that .4844 mills be restored pursuant to the Truth in Taxation requirements; and

BE IT FURTHER RESOLVED, that the Mayor's Recommended Budget, including the capital improvements and Community Block Grant, be adopted as amended; and

BE IT FINALLY RESOLVED, that the property tax rate for FY 90-91 be set at a total of 13.9 mills for operations, plus 2.04 mills for approved debt service, for a total levy of 15.94 mills.

COUNCIL AMENDMENTS TO
MAYOR'S RECOMMENDED FY 90-91 BUDGET

That the following amendments to the Mayor's Recommended FY 90-91 Budget be made:

1. That the language for the work program/priority for the Human Relations Department include identification of its responsibility to receive, investigate, and conciliate complaints of illegal discrimination within the City pursuant to the City's Human Relations and Fair Housing Ordinance;

2. That the useful life for lease/purchase of the following equipment be recognized as not less than five years:

Hewlett Packard 3,000 Series 935 Computer
A.T.&T. Enhanced 911 Telephone System

3. That the budget for the City Clerk be amended to segregate the $47,500 recommended for Operating Expenses into two separate accounts of $46,000 for Operating Expenses and $1,500 for Clerk Expenses/Community Promotion, and that no transfers be made by any administrative action (other than charter-authorized Executive transfer) into the Clerk's Expense Account;

4. That the Recyclers of Greater Lansing receive funding for equipment, promoting education, and operations totaling $281,817. The funding shall include eligible funds from the environmental bond issue, and $79,417 from the City Supported Activities allocation. The $79,417 shall include $24,000 from delaying the proposed City Recycling Coordinator position until 1-1-91, $37,150 already allocated in CSA, and $18,267 added to the CSA allocation.

5. That the work program for the environmental bond issue be hereby amended to specify recycling and hazardous materials protection, education, and cleanup as designated work plan elements authorized for the bond funded program;

6. That the proposed operating levy be increased to 13.9 mills, and estimated revenues from property taxes be increased by a net $726,672, with .5 mills designated and appropriated, plus all accrued interest designated and appropriated, for the following:

- For Bridge, Street, and Sidewalk Major Maintenance and Improvements.

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Department	Department Budget Including Costs Allocated Elsewhere	Council Additions & (Deletions)	Council Budget Appropriations
GENERAL FUND:			
City Council	$513,527		$513,527
Internal Audit	227,699		227,699
Mayor	426,077		426,077
City Clerk	616,793	($50,000)	566,793
District Court	2,518,320		2,518,320
Probation	353,390		353,390
Circuit Court	60,600		60,600
Labor Relations	206,350		206,350
Human Relations	333,105		333,105
Planning and Municipal Development	2,698,495		2,698,495
Finance	3,682,261		3,682,261
Personnel	627,740		627,740
City Attorney	869,768		869,768
Administrative Services	5,074,045		5,074,045
Human Resources	581,977		581,977
Human Resource Agencies	863,575		863,575
Community Supported Agencies	1,108,108	42,267	1,150,375
Public Service	2,337,346		2,337,346
Refuse (Subsidy)	230,000	(24,000)	206,000
Police	20,457,702		20,457,702
Fire	14,955,363	15,800	14,971,163
Parks and Recreation	8,723,309	15,933	8,739,242
Cemetery Fund (Subsidy)	472,303		472,303
General Administration	6,970,241		6,970,241
Miscellaneous	354,000		354,000
Capital Improvement Projects (General Fund)	1,155,000		1,155,000
Capital Improvement Projects (restricted to Buildings; Streets, Roads, Sidewalks; Capital Equipment)		1,026,672 (1)	1,026,672
TOTAL GENERAL FUND	$76,417,094	$1,026,672	$77,443,766
NON-GENERAL FUND			
Community Development Block Grant Program	$1,851,000		$1,851,000
Capital Improvement Projects (Non-General Fund)	824,888		824,888
Public Service: Act 51 Local	1,623,697		1,623,697
Act 51 Major	5,404,435		5,404,435
Parking System	6,327,810		6,327,810
Refuse	1,901,199		1,901,199
Wastewater	14,288,614		14,288,614
Debt Service	3,083,525		3,083,525
Tax Increment Financing Authority	3,956,110		3,956,110
Drug Forfeitures	512,027		512,027
Cemetery	281,240		281,240
Golf	899,450		899,450
TOTAL NON-GENERAL FUND	$40,953,995	$0	$40,953,995
TOTAL ALL FUNDS	$117,371,089	$1,026,672	$118,397,761

(1) That these restricted funds be divided into three subaccounts: one for building maintenance, one for public service improvements, and one for capital equipment, and that each account have accrued interest hereby appropriated into it on a quarterly basis.

By Councilmember Benavides:

To amend budget resolution by separately voting on item #6—"That the proposed operating levy be increased to 13.9 mills, and estimated revenues from property taxes be increased by a net $726,672, with .5 mills designated and appropriated, plus all accrued interest designated and appropriated, for the following....."

YEAS: Benavides, Ford

NAYS: Belen, Crawford, Lindemann, Schmidt and Worthington

ABSENT: Adado

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- For City Building and Public Properties Major Maintenance and Improvements.

- For Public Safety Equipment, particularly fire rigs and radio equipment; and

- That the five-year proposed plan for Streets, Bridges and Side-walks, and Building Maintenance be general guidance for use of the designated millage, plus accrued interest and that the Administration provide quarterly reports on the expenditure of these funds and the progress on these projects;

7. That the Council reaffirms budget priority calling for the Administration to prepare a detailed list of all City buildings, their conditions, needed maintenance and improvements, and prepare a Comprehensive Preventative Maintenance Plan. Further, that the city set aside funds separate from C.I.P., for the implementation of this plan and report back within six months;

8. That Estimated Revenues be increased as follows:

Property Taxes(net)	$726,672
Fees (new user fees)	+ 300,000

9. That proposed departmental appropriations be modified as follows:

City Clerk—Delay Recodification	(50,000)
Recyclers—Operations Total (Plus Bond) (includes $37,150 already allocated fund) (Transfer $24,000 from Public Service)	79,417
Fire—Life Protection Vests	15,800
Parks	15,933
Zoo—Added Security	15,933
Public Service—Delay Recycling Coordinator	(24,000)

10. That the proposal for an alternate retirement program for exempt employees is separated from the budget;

11. That the following items are referred as indicated for subsequent report and/or action:

- Alternate retirement program recommendations for exempt employees—Committee of the Whole and Ways and Means and Committee.

- Zero Based Budgeting—Ways and Means Committee.

- Horse Barn Development—Ways and Means Committee.

- Community Services—(Police) Expenses Funds—Ways and Means Committee.

- Community Center Hours of Operation Public Services Committee.

12. That, as standing policy, each fiscal year hereafter .5 mill will be devoted to infrastructure, and that the interest earned in this fund will accrue to this program, and that, after the earmarked ½ mill, 2% of the remaining General Fund revenues, plus accrued interest, will be designated exclusively for infrastructure improvements;

13. That, as standing policy, the policy of allocating 1% of the total General Fund original Budget for Human Services be reaffirmed;

14. That the Ways and Means Committee will study and implement a form of Zero Based Budgeting.

15. That grants shall all indicate that grant-funded positions shall end with the expiration of the grant.

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Councilmember Worthington requested a five minute recess to discuss the budget resolution and Councilmember Benavides' proposed amendment.

Carried unanimously; Councilmember Adado absent.

Council recessed at 8:35 P.M.

Council President Belen called meeting back to order at 8:42 P.M.

Councilmember Worthington stated that the question he had was clarified and Council could proceed with the vote on the budget resolution.

Council President Belen requested that a communication received as a suspended item from Councilmember Adado be read into the record. Councilmember Adado's communication explained why he could not support the Mayor's budget as submitted.

By Councilmember Worthington:

Resolution by the City Council, City of Lansing, to adopt the FY 1990-1991 Budget and Tax Rates:

YEAS: Belen, Crawford, Lindemann, Schmidt and Worthington

NAYS: Benavides, Ford

ABSENT: Adado

Resolution #261
BY: COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit a Final Statement of Community Development Objectives and Projected Use of Funds (list of proposed activities) in order to receive a Community Development Block Grant (CDBG) Entitlement Grant for the Sixteenth Fiscal Year (7/1/90 to 6/30/91); and

WHEREAS, the estimated CDBG entitlement amount allocated to Lansing is $1,501,000; and

WHEREAS, funds derived from Community Development Program Income, and reprogrammed funds, from the Fourteenth Year, Fiscal Year 1989 (7/1/88 to 6/30/89) and Fifteenth Year, Fiscal Year 1990 (7/1/89 to 6/30/90) will be added to the Total Block Grant Resources; and

WHEREAS, HUD requires that the City publish community-wide a "Draft Statement of Objectives and Projected Use of Funds" and to provide citizens the opportunity to submit comments on the proposal; and

WHEREAS, the "Draft Statement of Objectives and Projected Use of Funds" was published in the Lansing State Journal on December 23, 1989; and

WHEREAS, a public hearing was held by the Lansing Planning Board on January 9, 1990, to invite comments on the draft statement of community development objectives, projected use of funds and budget and the City of Lansing's performance and progress with CDBG activities; and

WHEREAS, the Lansing Planning Board at their regular meeting on February 20, 1990, after considering comments received, recommended that the CDBG Statement of Objectives, Projects and Budget be approved; and

WHEREAS, HUD further requires that the City of Lansing make available a "Final Statement of Community Development Objectives and Projected Use of Funds" for the Fiscal Year 1991; and

WHEREAS; a public hearing was held by the Lansing City Council on May 7, 1990, to receive citizen comments and recommendations and to review the Sixteenth Year CDBG Final Statement of Objectives and Projected Use of Funds; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as part of the City's application under the CDBG Program;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lansing adopts the "Final Statement of Objectives and Projected Use of Funds" for the Sixteenth Program Year; and

BE IT FURTHER RESOLVED, that the Mayor as Chief Executive Officer be authorized to submit and sign the application, after satisfactory review, including all understandings, assurances and certifications contained therein, is directed to provide such additional information as may be required, and is authorized, as the official representative of the City of Lansing, to act in connection with the CDBG submission and to execute all contracts and legal documents to secure and implement the CDBG program.

By Councilmember Worthington:

Carried unanimously: Councilmember Adado absent.

Resolution #262
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 1241 Clark to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on June 4, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 1241 Clark; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent.

Resolution #263
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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WHEREAS, the Director of Building Safety has declared a structure located at 511 Hylewood to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on June 4, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 511 Hylewood; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent.

Resolution #264
BY: COUNCILMEMBER CRAWFORD

WHEREAS, the Lansing City Council issued a Commercial Facilities Exemption Certificate (CRD-4-84) to Ted Freidinger for a new facility at 631 North Pennsylvania Avenue; and

WHEREAS, Aeronautics, Inc. has applied for the transfer of this Commercial Facilities Exemption; and

WHEREAS, a hearing was held on Aeronautic's application for an Exemption Certificate transfer on April 30, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Aeronautics, Inc. has met or will meet the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate for a new facility in Lansing Commercial Redevelopment District CRD-3-84, to Aeronautics, Inc.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent.

Resolution #265
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, petitions proposing that Chapter 1060 and Chapter 1061 of the Lansing Code of Ordinances be repealed and a new ordinance be adopted which would establish, effective June 1, 1991, a city operated residential refuse collection and recycling service; and

WHEREAS, the City Clerk has determined that pursuant to Section 2-403 of the 1978 City Charter, an inadequate number of signatures exist to require that the above mentioned proposal be placed on the August 7, 1990 primary election ballot;

NOW THEREFORE BE IT RESOLVED THAT

1. At the primary election which is scheduled to be held in the City of Lansing on Tuesday, August 7, 1990 there shall be submitted to the vote of the qualified electors of said City the proposition that a City operated residential refuse collection and recycling service be established effective June 1, 1991

2. The proposition to be submitted at the primary election shall be stated as a separate proposition on voting machines in substantially the following form:

PROPOSAL FOR ESTABLISHING A CITY-OPERATED RESIDENTIAL REFUSE COLLECTION AND RECYCLING SERVICE EFFECTIVE JUNE 1, 1991

Shall Chapter 1060 and Chapter 1061 of the Lansing Code of Ordinances be repealed and a new ordinance be adopted which reads as follows:

Sec. 1060.01. City-wide residential refuse collection and recycling service established. There is hereby established a city-wide residential refuse collection and recycling service administered by the Public Service Department. Paper, cardboard, metals, glass, plastics, bulk items, yard wastes, and other salvageable materials shall be separated prior to collection in a manner determined by ordinance. The public service department shall collect at curbside, process, warehouse, and market such salvageable materials so as to minimize the amount of refuse deposited in landfills. Revenue from the salvageable materials shall be used to maintain and improve the recycling program and other city services. Procedures for implementation of the refuse collection and recycling service referred to herein shall be established by ordinance with the effect that said service is fully operative by June 1, 1991.

3. The City Clerk shall be at his office between the hours of 8 a.m. and 5 p.m. Daylight Standard Time on the last day for registration for the purpose of receiving registrations of qualified electors.

4. The City Clerk shall cause the last day for registration for the general primary election to include the form of the above proposal. Such notice shall be published and posted as required by law.

5. The City Clerk shall cause the notice of the primary election, which notice shall be published and posted as required by law, to include the following language:

PROPOSAL FOR ESTABLISHING A CITY-OPERATED RESIDENTIAL REFUSE COLLECTION AND RECYCLING SERVICE EFFECTIVE JUNE 1, 1991

shall Chapter 1060 and Chapter 1061 of the Lansing Code of Ordinances be repealed and a new ordinance be adopted which reads as follows:

Sec. 1060.01. City-wide residential refuse collection and recycling

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service established. There is hereby established a city-wide residential refuse collection and recycling service administered by the public service department. Paper, cardboard, metals, glass, plastics, bulk items, yard wastes, and other salvageable materials shall be separated prior to collection in a manner determined by ordinance. The public service department shall collect at curbside, process, warehouse, and market such salvageable materials so as to minimize the amount of refuse deposited in landfills. Revenue from the salvageable materials shall be used to maintain and improve the recycling program and other city services. Procedures for implementation of the refuse collection and recycling service referred to herein shall be established by ordinance with the effect that said service is fully operative by June 1, 1991.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

By Councilmember Lindemann:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: Adado

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage.

CONSIDERATION OF LATE ITEMS

1/ Petitions received by Councilmember Ford regarding the removal of barricades on Allegan Street

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

2/ Letter received by Councilmember Benavides regarding Parks & Recreation baseball fields

REFERRED TO THE MAYOR AND
THE PARKS DEPARTMENT

3/ Councilmember Schmidt submitted an item from Councilmember Adado and requested that it be read into the record at the time of action on the budget resolution

(Handled with Resolution #260)

4/ Councilmember Lindemann submitted a letter received from Max Martens regarding region wide composting

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

5/ Councilmember Worthington submitted a resolution for a public hearing for a special assessment

Resolution #266
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council ordered on the dates listed below. public improvements in the form of sidewalk repairs or construction be made pursuant to Public Service Contracts in front of and adjacent to properties located on the streets in the City of Lansing;

WHEREAS, the sidewalk construction and repairs under said public improvement contracts were commenced on or about the date listed below and completed on the date as listed in accordance with the special assessment ordinances for sidewalk improvements; and

Contract #PS37045
Roll B-31
Resolution Date 4/04/88
Construction Dates: Start 4/28/88 Complete 6/18/88

Contract #PS25063 Roll B-32
Resolution Dates 7/11/88, 8/01/88, 9/06/88, 5/30/89, 5/15/89
Construction Dates: Start 8/11/88 Complete 7/28/89

Contract #PS25062
Roll B-43
Resolution Dates 6/06/88, 7/11/88, 7/25,88
Construction Dates: Start 7/13/88 Complete 10/4/88

Contract #PS67055
Roll B-44
Resolution Date 5/16/88
Construction Dates: Start 9/19/88 Complete 11/1/88

Contract #PS57055
Roll B-48
Resolution Date 7/17/89
Construction Dates: Start 8/14/89 Complete 10/20/89

Parts A & B

WHEREAS,the City Assessor has prepared the assessment roll for each property to be assessed for said sidewalk construction and repair improvement and has caused said assessment rolls to be placed on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, June 4, 1990, at 7:00 P. M., in the Board of Education Meeting Room, 1st Floor, Partington Center, 519 W. Kalamazoo, Lansing, Michigan, to review, prior to confirmation, said special assessment rolls for sidewalk construction and repairs

BE IT FURTHER RESOLVED that the City Clerk is hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin board located on the First Floor of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner, respectively, for each of the properties adjacent to or in front of which such sidewalk improvement was made. Copies of said rolls shall be available in the City Assessor's Office, Third Floor of City Hall, and the Public Service Department, Seventh Floor of City Hall for review.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq., MSA 5.3534(1), et seq., appearance and protest at the hearing in the special

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assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

By Councilmember Worthington:

To set a public hearing for June 4, 1990.

Carried unanimously; Councilmember Adado absent.

6/ Councilmember Crawford requested that Frederick Abood be allowed to speak prior to the scheduled public hearings

(Handled before public hearings)

MOTION OF EXCUSED ABSENCE

By Councilmember Lindemann:

To excuse Councilmember Adado from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Muhammed Frank Curtis spoke regarding the death of Mrs. Williams and Malcolm X.

Gladys Gilson of 223 W. Barnes spoke about the operation of the City Clerk's Office during the term of Millie Brown.

Cheryl Valleau, President of Neighborhood Watch, spoke about a fund raiser they have planned.

Russell Greear of 1517-½ Bailey stated he is planning to recall all City elected officials.

Andrew Anthos brought pictures of his proposal for lighting of the Capitol Dome and of his plans for obtaining additional support to present this issue to the Governor.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane responded to Dale Dobberstein's assertion that the average salary in the Mayor's Office was above $70,000. The Mayor stated that the actual figure is slightly above $54,000 which includes salaries and fringe benefits.

The Mayor also covered several events that will be held in honor of Michigan Week.

The Mayor also mentioned awards that will be presented as follows:

Joan Sheldon receiving the Outstanding Lansing Volunteer Award

Lansing Neighborhood Council Paint Blitz '89 will receive the Community Achievement Award

REMARKS BY COUNCILMEMBERS

Resolution #267
By Councilmember Benavides:

To change the date of the regular Council meeting scheduled for Monday, May 28, 1990, to Tuesday, May 29, 1990, due to the Memorial Day Holiday.

Carried unanimously; Councilmember Adado absent.

Councilmember Ford stated that he would be absent from the next two Council meetings.

Council President Belen stated that she would be absent from the June 11, 1990 Council meeting.

Councilmember Schmidt wished to extend thanks to Duane Vernon for the wonderful job he did handling the Michigan Parades into the 21st Century held on May 12, 1990.

Councilmember Lindemann mentioned that the Eastside Beautification Project will be working this Saturday, May 26th, planting over 200 flats of flowers. Anyone interested in assisting with this effort should contact him.

Council President Belen explained her vote on the budget resolution. She expressed her thanks to fellow Councilmembers for their good attendance at the budget hearings and for their compromise.

COUNCIL PRESIDENT BELEN:

Council adjourned at 9:35 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, May 29, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
May 29, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Lindemann, Schmidt and Worthington.
Councilmember Lindemann arrived at 7:15 P.M.

ABSENT: Councilmembers Adado and Ford

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

Motion by Councilmember Schmidt:

To accept the printed Council Proceedings for May 7, 1990.

Carried unanimously; Councilmembers Adado and Ford absent.

By Councilmember Benavides:

That we suspend the rules to accept the following items:

1/ Two resolutions forTransfer of Funds submitted by Councilmember Benavides

2/ Two resolutions granting non-profit status submitted by Councilmember Schmidt

3/ A resolution regarding setting a Public Hearing for June 4, 1990 for Public Improvement I submitted by Councilmember Worthington

Carried unanimously; Councilmembers Adado and Ford absent.

PUBLIC HEARINGS

A. May 29, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on an Attractive Nuisance at 6936 S. Cedar Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed handling of this matter, they would have the privilege of speaking at this time.

There were no speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

Dale Dobberstein of 916 W. Cavanaugh spoke in opposition to the proposed increase in downtown parking fees. He mentioned that he is initiating a petition drive to recall Lansing elected officials.

Bill Torrence of 208 Redner also spoke in opposition to the proposed increase in parking rates.

SPECIAL CEREMONIES

Mary James and Priscilla Holmes of the Lansing Neighborhood Council, addressed the Council regarding upcoming plans for Paint Blitz '90.

Council President Belen recognized Barbara French for her 200 hours of volunteer work assisting in the Channel 28 production of Council proceedings.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously; Councilmembers Adado and Ford absent.

A. Petition SLU-7-90 for 1507 Jerome to increase the number of beds from six to seven in an Adult Foster Care Home

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter received from A. Aerins of East Lansing regarding denial of a Claim Submitted

REFERRED TO THE CITY ATTORNEY AND
COMMITTEE ON GENERAL SERVICES

C. Letter received from the Department of Natural Resources informing that they have received the Industrial Pretreatment Program Annual Report and that it has been Approved

RECEIVED AND PLACED ON FILE

D. Letter received from S Lee Bradt-Bahl of 630 N. Clemens regarding parking violations in that area

REFERRED TO THE MAYOR

E. Annual report received from the Ingham County Drain Commissioner

RECEIVED AND PLACED ON FILE

F. Request for Non-profit status received from Community Services for the Developmentally Disabled

REFERRED TO THE CITY ATTORNEY

G. Letter received from the Ingham County Board of Commissioners informing of the Martin Luther King Holiday Commission established and asking if Lansing wishes to have a representative to this Commission

REFERRED TO THE MAYOR

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H. Letter from Jon A. Hayes of 1913 Victor Avenue complaining about the method of notification of the Parks Department through the "Lansing Softball Players Weather Line"

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

I. Letter from Diane Fall of 813 N. Francis Avenue opposing the purchase of Property on Fairview Avenue by the Plymouth Congregational Church

REFERRED TO THE MAYOR AND
LEGISLATORS IN THE AREA

J. Letter from Thomas Washington, Executive Director of the Michigan United Conservation Clubs, requesting Council action to Provide Clear Access to Properties that Abut the Alley behind the Jury Rowe Building

REFERRED TO THE MAYOR, CITY ATTORNEY AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

K. Letter from Diane Woodruff of 909 Ferley Street protesting the Proposed increase in Downtown Parking Rates

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

L. Letter received from Mary Sova submitting the Board of Water and Light's Annual Budget for Fiscal Year Ending June 30, 1991

RECEIVED AND PLACED ON FILE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

The Mayor commented on letters C1, C2, C3, C4, C5, C6, C10 and C12 on the Agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

2. **Resolution #267**
May 29, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Martin Kelly Dunivon, Victor Samuel Steinman

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #268
May 22, 1990
Council President Lucile Belen and City Councilmembers
lOth Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your approval the reappointment of R. Lynn Gunthorpe to the Plumbing Board. This term will expire June, 1994.

Your confirmation of this reappointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

MOTION BY: Councilmember Benavides

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

2. COUNCIL REFERRALS:

James T. Lieuense, Inc. Application for Mechanical Amusement Devices and Pool Room or Bowling Alley

Councilmember Schmidt stated that she has some input she would like to provide regarding this business establishment.

REFERRED TO THE CITY CLERK

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 21, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Mayor's Response to Council—Approved Budget

RECEIVED AND PLACED ON FILE

3. **Resolution #269**
May 24, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your approval the reappointment of Leonard McConnell to the Police Commissioners Board. This term will expire June, 1994.

Your confirmation of this reappointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

MOTION BY: Councilmember Benavides

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

4. **Resolution #270**
May 24, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

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Dear President Belen and Councilmembers:

I herewith submit for your approval the reappointment of Nolan Owen to the Police Commissioners Board. This term will expire June, 1994.

Your confirmation of this reappointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

MOTION BY: Councilmember Benavides

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

5. ACT-7-90 University Corporate Research Park Proposed Street Names

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. **Resolution #271**
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: May 24, 1990
SUBJ: Proposed Wastewater Treatment Rates FY 90-91, Financial Impact Statement

The attached proposal and financial impact statement are being submitted with my concurrence for your review and appropriate action.

Motion by Councilmember Worthington:

Resolved by the City Council, City of Lansing, to set a Public Hearing on the Proposed Wastewater Treatment Rates for June 4, 1990.

Carried unanimously; Councilmembers Adado and Ford absent.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Z-5-90 324 North Pine Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Z-9-90 320 North Walnut Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9. ACT-8-90 Nellers Court, Vacate Street Right-of-Way

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10. Clean Michigan Community Grant

RECEIVED AND PLACED ON FILE

11. Mayor's Recommendation Regarding FY 91 Proposed Parking Rates

REFERRED TO COMMITTEE ON PUBLIC SERVICES

12. Barricade Reports

RECEIVED AND PLACED ON FILE

13. Public Improvement IV—PS 57055, Part II, Sidewalk Improvements

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

14. Save the Children Relay Race

RECEIVED AND PLACED ON FILE

15. Emergency Purchase Order # 50492

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

16. Permanent Easements for Dr. Martin Luther King, Jr. Blvd./Logan Street Sewers

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

17. Residential Rehabilitation Deferred Loan Program

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

18. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the petition for curb and gutter on Bliesener Street.

REPORTS AS FOLLOWS: The Committee has reviewed the report from the Engineer Division which indicated that of the eight names on the petition, only three were property owners according to property tax records. This represented only 16.5% of the property which fronts on Bliesener street, making it an invalid petition.

The Committee recommends and supports denial of the petition based on the fact that there was not the needed percentage of signatures in favor of the work to be performed.

SIGNED

BY THE REPORT OF SIDNEY WORTHINGTON

That the report be adopted.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Z-4-90
4200-4220 South Cedar Street

The Committee on Physical Development

To whom was referred the rezoning petition Z-4-90, 4200-4220 South Cedar Street to be rezoned from 'A' Residential District and 'F' Commercial District to 'F' Commercial District

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen

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Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Z-6-90
100 and 200 Blocks Friendship Circle

The Committee on Physical Development

To whom was referred the rezoning petition Z-6-90, 100 and 200 blocks Friendship Circle to be rezoned from 'DM-2' Residential District to 'D-1' Professional Office District.

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

May 24, 1990
SUP-2-80
1923 Roberts Lane

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of increasing the capacity of this facility from six to seven persons

REPORTS AS FOLLOWS:

that a Special Use permit for this address was approved in September of 1980 for six mentally retarded adults and that the increase of one additional person will not have any significant impact on the use of the site or adjacent development. The Committee recommends approval.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote: Carried unanimously; Councilmembers Adado and Ford absent

SLU-14-85
5725 Orchard Court

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of increasing the capacity of this facility from eight to nine persons

REPORTS AS FOLLOWS:

that a Special Land Use permit for this address was approved in July of 1986 for eight developmentally disabled adults and that the increase of one additional person will not have any significant impact on the use of the site or adjacent development. The Committee recommends approval.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote: Carried unanimously; Councilmembers Adado and Ford absent

RESOLUTIONS

Resolution #272
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, on November 21, 1983, the Lansing City Council issued an Industrial Facilities Exemption Certificate (IPR-7-83) to Ryerson and Haynes for new equipment in the Lansing Plant Rehabilitation District at 1305 S. Cedar Street; and

WHEREAS, on January 17, 1990 Jackson Assembly Enterprises, Inc. has applied for the transfer of this Industrial Facilities Exemption Certificate to Jackson Assembly; and

WHEREAS, a hearing was held on Jackson Assembly's application for an Exemption Certificate transfer on February 19, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Jackson Assembly Enterprises, Inc. has met or will meet the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the application for the transfer of the Industrial Facilities Exemption Certificate for equipment in Lansing Plant Rehabilitation District IPR-7-83, to Jackson Assembly Enterprises, Inc.

Resolution Approving the Application for Transfer of the Industrial Facilities Exemption Certificate to Jackson Assembly Enterprises, Inc.

MOTION BY: Councilmember Crawford

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #273
BY: COUNCILMAN JAMES CRAWFORD

WHEREAS, the City of Williamston has received an application from Midway Engravers, Inc. for an Industrial Facilities Exemption Certificate for a project located in Williamston, Michigan; and

WHEREAS, this project will result in the transfer of employment

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from the City of Lansing to the City of Williamston; and

WHEREAS, the legislation authorizing the issuance of an Industrial Facilities Exemption Certificate (P.A. 1974, No. 198) requires that projects which result in the transfer of employees between Michigan municipalities must receive the consent of the local governmental unit from which employees are to be transferred; and

WHEREAS, the City of Lansing recognizes the value of both regional cooperation in the area of economic development and the availability of an open and free regional market for the location of economic activity, provided that the maintenance of that open and free market does not result in undue negative impacts on particular municipalities.

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing hereby consents to the granting of an Industrial Facilities Exemption Certificate for the Midway Engravers, Inc. project, pursuant to Section 9(2) (f) of the P.A. 1974, No. 198.

Resolution granting an Industrial Facilities Exemption Certificate for the Midway Engravers, Inc.

MOTION BY: Councilmember Crawford

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #274
SIDEWALK RESOLUTION

BY COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity. Whereas, it is a matter of public necessity to construct sidewalk in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: All lands bounded by Edgewood Blvd., Amwood, and American Dr. Excepting all public streets and alleys and other land deemed not benefitted.

AND that the construction of these improvements known as 1989 SIDEWALK REPAIR CONTRACT #1, P.S.#57055, PART II is hereby ordered.

AND FURTHER, that owners of said described lands are hereby required to commence construction within twenty (20) days from the date of notification in accordance with Chapter 1024.04 of the Code of Ordinances; or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Chapter 1024.05 of the Code of Ordinance. The expense of constructing the sidewalk shall be paid out of the Special Assessment Fund and Series 1987 Street Bond issue.

That the City Assessor be, and is directed to make a special assessment installment rolls, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

Resolution ordering new Sidewalk for Edgewood Boulevard West of Cedar Street

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #275
PUBLIC IMPROVEMENT IV

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the City Council of the City of Lansing

THAT the special assessment roll for the N. Cedar Sanitary Sewer PS 16051 as revised by the City Assessor as follows:

Assessment Roll

PROPERTY BENEFITTED: All lands fronting N. Cedar Street from Howe St. to Paulson St. excepting all public streets and alleys and other lands deemed not benefitted. (Benefit for N. Cedar Street frontage of 511 E. Howe St. removed.)

BE and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said assessment on or before the 27th of August, 1990.

Following is a revised distributlon of costs:

City share sanitary	590 453670 973000 20100	$ 5,615.31
City share storm	591 453682 973000 23000	$11,165.35
Assessed sanitary	404 933601 974100 12052	$14,250.94

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy Controller

Resolution ratifying and confirming Public Improvement IV—North Cedar Sanitary Sewer PS 16051

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent

Resolution #276
PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the special assessment roll #B47 for sidewalk improvements (PS57055, Part II)

PROPERTY BENEFITED: All lands in an area bounded by S. Cedar St., Mt. Hope, Pennsylvania, Park, Lyons, and Paris St; Excepting all public streets and alleys and other land deemed not benefited.

as returned by the City Assessor, be ratified and confirmed, and the Mayor be directed to affix within ten days his warrant directing the City Treasurer to collect said tax on or before the 4th day of September 1990.

Resolution ratifying and confirming Public Improvement IV—Special Assessment Roll #B47 for Sidewalk Improvements

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford

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absent.

Resolution #277
COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-3-90
100/200 Blocks Friendship Circle

WHEREAS F&S Development Company has requested a Special Land Use permit to construct a new office building within the 100 year floodplain of the Red Cedar River and more particularly described as:

Lot 1, Eastland Subdivision, City of Lansing, Ingham County, Michigan; and

WHEREAS the Planning Board has reviewed the report of the Planning Division and recommends approval of the Special Land Use permit subject to conditions; and

WHEREAS the Physical Development Committee of Council has reviewed the recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves a Special Land Use for the proposed office building to be constructed within the 100 year floodplain of the Red Cedar River subject to the following:

1) Compliance with all applicable Codes of the City of Lansing including but not limited to Landscape Screening and Buffering and Zoning and site plan submission.

2) No transmission facilities may be installed without proper permits and compliance with all Codes.

In approving this request, the City Council considered the following:

Compatible with Surrounding Area—The proposed office would be an appropriate transitional use between the residential and non-residential uses.

Change in Essential Character—The change will be from vacant to developed land. It will not negatively impact the surrounding land uses.

Enjoyment of Adjacent Properties—The use for office will not impact other properties. However, storm water detention will be necessary in order to assure that adjacent properties are not adversely impacted.

Improvement to Property and/or Surrounding Area—The property would be developed and maintained for office purposes which is considered an improvement over the existing situation.

Impact on Environmental Pollution—The proposed use will not be detrimental to the surrounding uses by creating excessive traffic, noise, smoke, odor, fumes or glare. To further assure the compatibility, sensitive treatment of the adjacent residential uses will be required during the site plan development stage.

Adequacy of Public Services and Utilities—Public utilities are not directly available to the site. The applicant will have to extend sewers at his own expense in order to serve the site. However, the extension is possible and the sewers once extended would have sufficient capacity to handle the additional load.

Compliance with Master Plan—The proposed use is in conformance with the Northeast Area Master Plan.

Compliance with Zoning Code—The proposed use can meet the minimum dimensional requirements of the Zoning Code; and

BE IT FURTHER RESOLVED that the Clerk be directed to notify the applicant of this action.

Motion by Councilmember Worthington:

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #278
COMMITTEE ON PHYSICAL DEVELOPMENT

May 24, 1990
SLU-14-85
5725 Orchard Court

WHEREAS the Lansing City Council at their meeting of July 28, 1986 approved a Special Land Use for Community Mental Health to establish an adult foster care facility for a maximum of eight developmentally disabled adults at 5725 Orchard Court, and

WHEREAS Community Mental Health, in a letter dated May 8, 1990, has requested that the capacity of this facility be increased from eight to nine people, stating that they need this approval because of declining revenues and that the increase in persons will make a significant impact on cost reductions for the operation of this type of facility, and further that approval to increase the capacity is needed before the Department of Social Services will approve a license for any additional people, and

WHEREAS the Planning Division has reviewed this request and cannot find where the increase of one additional person will have any significant impact on the use of the site or the adjacent development, and

WHEREAS the Physical Development Committee of City Council has reviewed this request and recommends approval,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Lansing approves a modification to the Special Land Use (SLU-14-85) at 5725 Orchard Court to allow the capacity of this facility to be increased from eight to nine persons.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #279
COMMITTEE ON PHYSICAL DEVELOPMENT

May 24, 1990
SUP-2-80
1923 Roberts Lane

WHEREAS the Lansing City Council at their meeting of September 15, 1980 approved a Special Land Use for Community Mental Health to establish an adult foster care facility for a maximum of six mentally retarded adults at 1923 Roberts Lane, and

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WHEREAS Community Mental Health, in a letter dated May 8, 1990, has requested that the capacity of this facility be increased from six to seven people, stating that they need this approval because of declining revenues and that the increase in persons will make a significant impact on cost reductions for the operation of this type of facility, and further that approval to increase the capacity is needed before the Department of Social Services will approve a license for any additional people, and

WHEREAS the Planning Division has reviewed this request and cannot find where the increase of one additional person will have any significant impact on the use of the site or the adjacent development, and

WHEREAS the Physical Development Committee of City Council has reviewed this request and recommends approval,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Lansing approves a modification to the Special Land Use (SUP-2-80) at 1923 Roberts Lane to allow the capacity of this facility to be increased from six to seven persons.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #280
By Committee on Physical Development

WHEREAS, the City of Lansing has entered into an Urban Homesteading Agreement with the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Urban Homesteading Procedures approved by the Mayor on April 28, 1983, and Section 208.01 of the Code of Ordinances of the City of Lansing require City Council approval to include houses in the program; and

WHEREAS, the Detroit Veteran's Administration has indicated the availability of two properties for inclusion in the Urban Homesteading Program: 607 Allen legally described as Lot 147 and N ½ Lot 146 Breiten Park Sub and 1111 Walsh legally described as Lot 12 Huntington Heights Sub; and

WHEREAS, City staff have inspected the properties located at 607 Allen and 1111 Walsh and have recommended their purchase for inclusion in the Urban Homesteading Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing, that the purchase of 607 Allen and 1111 Walsh, with Section 810 funds, be and is hereby approved.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #281
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing has entered into an Urban Homesteading Agreement with the U.S. Deparment of Housing and Urban Development (HUD); and

WHEREAS, the Urban Homesteading Procedures approved by the Mayor on April 28, 1983, and Section 208.01 of the Code of Ordinances of the City of Lansing require City Council approval to include houses in the program; and

WHEREAS, the Grand Rapids FHA Insuring Office has indicated the availability of a property for inclusion in the Urban Homesteading Program; 526 N. Butler legally described as Lot 15, C. L. Fratcher's Sub.; and

WHEREAS, City staff has inspected the property located at 526 N. Butler and has recommended its purchase for inclusion in the Urban Homesteading Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the purchase of 526 N. Butler, with Section 810 funds, be and is hereby approved.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #282
BY: COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, the City of Lansing has and continues to implement activities designed to encourage the preservation and rehabilitation of its residential neighborhoods; and

Whereas, the Green Oaks neighborhood is a neighborhood where such activities have been and are continuing to be implemented; and

Whereas, the City administration has recommended the acquisition and clearance of two (2) residential properties located in an area of industrial usage in the 300 block of Hill Street, in order to eliminate a negative living environment, provide an opportunity for improved land use by the surrounding industrial uses and continue the City's efforts to support improvements in the Green Oaks neighborhood; and

Whereas, the Committee on Physical Development concurs in the recommendation of the City administration on this matter;

Now, Therefore Be It Resolved by the City Council of the City of Lansing that the City administration is hereby authorized to acquire and clear the residential properties located at 316-318 Hill Street, legally described as Lot No. 5, A.O. Bement's Replat and Addition on Block 17 of Green Oak Addition, City of Lansing, Ingham County, Michigan, as recorded in Liber 4 of Plats, Page 18, Ingham County Records, and 320-322 Hill Street, legally described as Lot No. 6 of A.O. Bement's Replat and Addition on Block 17, Green Oak Addition, City of Lansing, Ingham County, Michigan, being Permanent Parcels No. 3301-15-308-011 and 3301-15-308-021, with the costs of acquisition and clearance being charged to the appropriate account within the Community Development Block Grant program budget.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #283
BY: COMMITTEE ON PHYSICAL DEVELOPMENT

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Whereas, the Lansing City Council, at its meeting held on March 26, 1990, unanimously adopted Resolution No. 136, authorizing the acquisition of property, at the recommendation of the City administration, for the North Lansing Historic District Anchor Project; and

Whereas, the City administration has requested the City Council to clarify the property authorized to be acquired;

Now, Therefore Be It Resolved by the City Council of the City of Lansing that the City administration is authorized to acquire property located at 1208, 1210 and 1212 Turner Street, legally described as Lot 16, Assessor's Plat No. 31 of Block 6 and the South 127 feet of Lot 17, Assessor's Plat No. 31, Block 6 Original Plat, City of Lansing, Ingham County, Michigan (being Permanent Parcels No. 3301-09-257-071 and 3301-09-257-171) for the purposes set forth in Resolution No. 136.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #284
5/10/90
Act-4-90
Skye View Subdivision
Release of Easement

WHEREAS Stephens-Kyes and Associates, Incorporated has determined that the single family home on Lot 18, Skye View Subdivision was placed 2.42 feet into a platted public sewer and storm easement; and

WHEREAS Steven-Kyes, on behalf of TMN Builders, has requested the release of the affected easement which is more particularly described as:

That part of Lot 18, Skye View, a subdivision on a part of the northwest fractional ¼ of Section 30, T4N, R2W, City of Lansing, Ingham County, Michigan, described as commencing at the southeast corner of said Lot 18; thence along the lot line N00° 02′ 47″ west 48.05 feet; thence perpendicular to said lot line south 89° 57′ 13″ west 12.58 feet to the point of beginning, said point being the most easterly corner of the house foundation on said Lot 18; thence along said foundation wall line south 50° 10′ 00″ west 3.14 feet; thence north 00° 02′ 47″ west 4.94 feet; thence along the foundation wall line south 39° 40′ 00″ east 3.81 feet to the point of beginning, containing 5.98 square feet of land. and

WHEREAS the Public Service Department has determined, with the help of a certified survey done by the applicant, a professional surveyor, that the encroaching portion of the foundation will not affect the easement adversely or interfere with the existing storm sewer line; and

WHEREAS the Planning Division has reviewed and approved the proposed release based upon Public Service Department approval under Act 285, P.A. 1921;

NOW, THEREFORE, BE IT RESOLVED that the release of easement for that portion of Lot 18 described as:

That part of Lot 18, Skye View, a subdivision on a part of the northwest fractional ¼ of Section 30, T4N, R2W, City of Lansing, Ingham County, Michigan, described as commencing at the southeast corner of said Lot 18; thence along the lot line N00° 02′ 47″ west 48.05 feet; thence perpendicular to said lot line south 89° 57′ 13″ west 12.58 feet to the point of beginning, said point being the most easterly corner of the house foundation on said Lot 18; thence along said foundation wall line south 50° 10′ 00″ west 3.14 feet; thence north 00° 02′ 47″ west 4.94 feet; thence along the foundation wall line south 39° 40′ 00″ east 3.81 feet to the point of beginning, containing 5.98 square feet of land.

be granted to the assigned property owner; and

BE IT FURTHER RESOLVED that the City Attorney be directed to draft and properly file a release of easement for the above described parcel.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #285
COMMITTEE OF PHYSICAL DEVELOPMENT

May 10, 1990
Act-12-90
Michigan Department of Management and Budget
Use of Pine, Kalamazoo and Sycamore Street Rights-of-Way

WHEREAS the Michigan Department of Management and Budget has requested the City of Lansing to permit an encroachment of five feet (5′) into the public rights-of-way for Pine Street, Kalamazoo Street and Sycamore Street for the temporary installation of sheet piling and permanent placement of flanged footings, 12 to 20 feet below grade for constructing a new parking structure; and

WHEREAS the temporary closing of the 300 block of South Sycamore Street for traffic so the street can be utilized by the contractor for equipment staging and materials storage during construction of the new State Parking Ramp; and

WHEREAS the Planning Board has reviewed this request under Act 285 of Michigan P.A. of 1931, and recommends that the City approve the request for encroachment, and further, that all sidewalk and curb damage from the construction be repaired and the right-of-way boulevard area behind the curb be landscaped;

WHEREAS the City Council Committee on Physical Development concurs with the recommendations of the Planning Board;

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the request of the Michigan Department of Management and Budget for a five foot (5′) temporary easement for construction into the rights-of-way of the 200 and 300 block of South Pine Street, the 600 block of West Kalamazoo and the 300 block of South Sycamore Street.

BE IT FURTHER RESOLVED that a permanent two foot (2′) subgrade easement for the parking structure footings be granted at a varying depth of 12 to 20 feet below grade. Also, that the closure of the 300 block of South Sycamore Street to through traffic be granted to enable the area to be used as a contractor's staging area during ramp construction.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

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Resolution #286
COMMITTEE ON PHYSICAL DEVELOPMENT

May 10, 1990
Act-10-90
1000 Block of West Michigan Avenue

WHEREAS the Michigan Department of Management and Budget has requested the City of Lansing to close and vacate the 1000 Block of West Michigan Avenue; and

WHEREAS the State desires to use this right-of-way for temporary parking during new ramp construction; and

WHEREAS the Planning Board has reviewed this request under Act 285 of Michigan P. A. of 1931, and unanimously recommends that:

1. The 1000 Block of West Michigan Avenue right-of-way be closed to through traffic east of the east property line of 1020 West Michigan Avenue to the Butler Boulevard right-of-way.

2. The right-of-way area can be used by the State of Michigan for temporary parking during construction of the new parking structure.

3. No vehicular access be permitted to this right-of-way area or the entire parking lot from Dr. Martin Luther King, Jr. Boulevard/Logan Street and that the entire west line of the parking area be aesthetically improved.

4. The City Council indicates intent to vacate the entire right-of-way of the 1000 Block of West Michigan Avenue upon MDOT acquisition and resident relocation of 1020 West Michigan Avenue.

WHEREAS the Physical Development Committee of City Council concurs with the recommendation of the Planning Board, and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approve the closure of the 1000 Block of West Michigan Avenue from the east line of 1020 West Michigan Avenue east to the west line of Butler Boulevard, and

BE IT FURTHER RESOLVED THAT:

a. The right-of-way area can be used by the State of Michigan for temporary parking during construction of the new parking structure.

b. No vehicular access be permitted to this right-of-way area or the entire parking lot from Dr. Martin Luther King, Jr. Boulevard/Logan Street, and that the entire west line of the parking area be aesthetically improved.

c. The City of Lansing Council intends to vacate the entire right-of-way of the 1000 Block of West Michigan Avenue upon MDOT acquisition and resident relocation of 1020 West Michigan Avenue.

BE IT FINALLY RESOLVED that the Planning Division and City Attorney be authorized to prepare the required documents to implement the intent of this resolution.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #287
COMMITTEE ON PHYSICAL DEVELOPMENT

5/10/90
Act-1-90
Collins/Forest Road
Disclaimer of Interest

WHEREAS Michigan State University has requested the City of Lansing determine its interest in the north end of Collins Road and the east end of Forest Road, more particularly described as:

Portion of Existing Collins Road Right-of-way

That part of the north ½ of the southwest ¼ of Section 25, T4N, R2W, City of Lansing, Ingham County, Michigan, being a strip of land 66 feet in width, 33 feet either side of the north/south ⅛ line of the southwest ¼ lying between the northwesterly line of Collins Road relocated and the southwesterly line of Forest Road relocated (according to plans on file with the City of Lansing Public Service Department).

Portion of Forest Road to be Abandoned (within the City of Lansing)

That part of the northeast ¼ of the southwest ¼ of Section 25, T4N, R2W, City of Lansing, Ingham County, Michigan described as: the north 33 feet of the northeast ¼ of the southwest ¼ of Section 25, lying northeasterly of the northeasterly right-of-way line of relocated Forest Road and northwesterly of the northwesterly right-of-way line of relocated Collins Road (according to the plans on file at the City of Lansing Public Service Department); and

WHEREAS the Lansing Planning Board has reviewed the request under P.A. 285 of the Public Acts of 1931 as amended and has found that no public interest exists in said rights-of-way; and

WHEREAS the Planning Board has advised the applicant to provide easements for existing utilities within said rights-of-way; and

WHEREAS the Council Committee on Physical Development has reviewed this request to determine the City's interest and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing declare a disclaimer of interest in said sections of rights-of-way; and

BE IT FURTHER RESOLVED that the City Attorney be directed to file a disclaimer of interest with the County Register of Deeds.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

D. By the Committee on Public Services:

Resolution Approving FY91 Parking Rates for the Lansing Municipal Parking System

By Councilmember Lindemann:

To pull this resolution and the passage of the Ordinance relating to parking fines and refer them back to the Committee on Public

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Services.

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #288
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Michael Bryanton to the Human Relations Board for a term to expire June, 1992, is hereby confirmed.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #289
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, John LaPointe has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (B) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to John LaPointe

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #290
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kenneth LaViolette has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that his driver's license had been suspended or revoked within two years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (D) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Kenneth Alan LaViolette.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #291
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kenneth Green has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (B) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Kenneth W. Green.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #292
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Anarion Frazier has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had six or more points for moving traffic violations at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (B) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

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hereby approves the recommendation of the General Services Committee to grant a public driver license to Anarion Frazier.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #293
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Matt Kostrzewski filed a claim against the City for $39.97; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Matt Kostrzewski appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence to support his claim; and

WHEREAS, based on Matt Kostrzewski's testimony and evidence, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Matt Kostrzewski in the amount of $39.97; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #294
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on August 13, 1990, GRAND RIVER EXPEDITION '90 will begin at the headwaters of the Grand River south of Jackson, and begin a canoe trek to the mouth of the river at Grand Haven on August 25; and

WHEREAS, the team of scientists, historians, educators and other interested people will paddle the river in sections every day of the expedition, conducting studies and specific tasks while observing and documenting the Grand River; and

WHEREAS, each night the team will camp at scheduled stops organized by city hosts, where the public will be invited to gather and meet with team members for presentations and displays about the river; and

WHEREAS, the expedition's grand finale will be at Riverfest '90 over Labor Day Weekend in Lansing's Riverfront Park, where the entire event will be highlighted through presentations and demonstrations; and

WHEREAS, the main purposes of the expedition are to gather scientific information for a database on the river and to increase public awareness about the values, problems and opportunities of the Grand River and its watershed; and

WHEREAS, this mammoth undertaking will involve thousands of people across the state, and require cooperation and hospitality by dozens of governmental units;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby endorses and supports GRAND RIVER EXPEDITION '90; and

BE IT FURTHER RESOLVED the Council encourages the People of Lansing, as well as citizens and elected officials of other Michigan communities, to actively participate in this worthwhile event.

MOTION BY: Councilmember Lindemann

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #295
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Amalgamated Local 724 UAW, with membership reaching over 1,000, will proudly celebrate their 50th Anniversary; and

WHEREAS, the Local 724 has represented members from the forgoing industry, as well as independent parts suppliers, clerical and technical workers, representing an International Union of United Automobile, Aerospace, and Agricultural Implement Workers of America; and

WHEREAS, the Amalgamated Local 724 UAW members have participated in the tradition of civic responsibility and commitment to the Greater Lansing community, supporting those who strive in making our economy rich and prosperous;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council respectfully honors those members of the Amalgamated Local 724 UAW and commends them on their outstanding support towards this community; and

BE IT FURTHER RESOLVED, that the Lansing City Council commemorates them on their 50 year Anniversary.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #296
BY COMMITTEE ON WAYS AND MEANS

5/21/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$224,000.00 from Act 51 (M) Estimated Revenues

A/C 202-000000-170001-00000

224,000.00 to Trunkline Maint.—Act 51—Major Streets

A/C 202-453633-746701-00000

(Difference in fiscal years between State and City and

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addition of special work authorizations under contract with MDOT.)

$9,250.00 from Forfeitures-Estimated Rev.
A/C 265-000000-170001-00000
9,250.00 to Forfeitures-Budget—Control Acct.
A/C 265-343253-992200-00000
(Cost of wiring for remodeling of Criminal Intelligence (REACH) office space in Police Building (265-343254-977000-0)

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

MOTION BY: Councilmember Benavides:

VOTE: Carried unanimously: Councilmembers Adado and Ford absent.

Reolution #297
BY COMMITTEE ON WAYS AND MEANS

5-29-90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

1)
$ 232.00 from Estimated Revenues
A/C 101-000000-170001-00000
232.00 to Fire Department—Budget Control Account
A/C 101 343501-992200-00000
(Contribution to Fire Department EMS for equipment from Kevin Christiansen, 315 W. Cherry St., Potterville, MI.—Citizens' Contributions, Memo Account #101-343501-741880-0)

2)
$ 24,188.00 from Estimated Revenues
A/C 101-000000-170001-00000
24,188.00 to Parks & Recreation—Budget Control
A/C 101 783860-992200-00000
(Expenses for Camp Lansing basketball program. #101-783833-707000-0 $19,811, #101-783833-741000-0 $4,377.)

3)
$ 3,750.00 from Estimated Revenues
A/C 101-000000-170001-00000
3,750.00 to Parks & Recreation Budget—Control Account
A/C 101-783860-992200-00000
(Balance of funds needed for routine operations of community centers in May and June 1990. (101 783831-707000-0 and 101-783831-741000 0)

4)
$ 3,200.00 from Estimated Revenues
A/C 101-000000-170001-00000
3,200.00 to Parks & Rec. Budget—Control Acct.
A/C 101 783860-992200-00000
(Additional funds needed for May-June 1990 Programs, including Senior Citizens Prom, Sunday Softball, and Swim Instructions (101-738833-741850-0)

5)
$ 11,250.00 from Parks & Rec. Budget Con.
A/C 101-783860-992200-00000
11,250.00 to Cap. Imp. Prog.—Budget Control
A/C 101-933901-992200-13001
(Change order to City Market renovation contract for replacement of three deteriorated I-beams which were found to be incapable of sufficient roof support. To 101-933890-975000-13044)

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

MOTION BY: Councilmember Benavides:

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #298
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Children and Family Services has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Children and Family Services as a non-profit organization.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #299
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Public Health has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Michigan Health Public as a non-profit organization.

MOTION BY: Councilmember Schmidt

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #300
PUBLIC IMPROVEMENT BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the Mayor and the City Council of Lansing that it is hereby determined to be a public necessity to construct curb and gutter and storm sewer on the following street as part of the 1990

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Curb and Gutter Contract, PS 64119:

S. Cedar Street—Cavanaugh Street to Robert Street

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefited property owners, and the City's share from Accounts:

403 933601 974100 42101
401 933615 973000 41413
401 933615 973000 41420

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby directed to prepare as far as necessary, plans and specifications for these improvements and to estimate in detail the cost of said project and to furnish said information to the Mayor and City Council.

MOTION BY: Councilmember Worthington

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

ORDINANCES FOR INTRODUCTION

Amendment to Council Rules

MOTION BY: Councilmember Worthington

To pull this proposed resolution and refer it back to the Committee of the Whole.

VOTE: Carried unanimously; Councilmembers Adado and Ford absent.

ORDINANCES FOR PASSAGE

ORDINANCE #2314
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-4-90, 4200-4220 South Cedar Street

Parcel Numbers: 3301-33-256-132 and 3301-33-256-173

Legal Description: Lots 31, 32, 33 and the east 104 feet of Lots 34 and 35 of Jessops Home Gardens Subdivision, City of Lansing, Ingham County, Michigan

From "A" Residential and "F" Commercial District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

ORDINANCE #2315
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-6-90, 100/200 Blocks of Friendship Circle

Parcel Number: 3301-13-151-034

Legal Description: Lot 1, Eastland Subdivision, City of Lansing, Ingham County, Michigan From "DM-2" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

C. Amending Part IV Chapter 9.3.5 of the Code of Ordinances to Revise Parking Fines

MOTION BY: Councilmember Lindemann:

To pull this proposed Ordinance and refer it back to the Committee on Public Services along with the resolution on Parking Fees.

Carried unanimously; Councilmembers Adado and Ford absent.

CONSIDERATION OF LATE ITEMS

1/ Two resolutions for Transfer of Funds submitted by Councilmember Benavides

(Handled as Resolution Nos. 296 & 297)

2/ Two resolutions granting non-profit status submitted by Councilmember Schmidt

(Handled as Resolution Nos. 298 & 299)

3/ A resolution regarding setting a Public Hearing for June 4, 1990 for Public Improvement I, submitted by Councilmember Worthington

(Handled as Resolution No. 300)

MOTION OF EXCUSED ABSENCE

Councilmember Benavides moved that Councilmembers Adado and Ford be excused from this session of Council.

Carried unanimously.

PUBLIC COMMENTS

Muriel Kirby of 2522 Wyckham Drive spoke in opposition to the manner in which Mayor McKane handled budget negotiations.

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Muhammed Frank Curtis stated that he felt Muriel Kirby made an eloquent speech.

Gary Andrews of 560 Brookland Blvd. asked what the procedure is for handling items submitted to Council and are then referred to a Committee for handling. He stated he had submitted information referred to the Committee on Economic Development on January 16, 1990 and had received no information since that time.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane invited everyone to attend the Michigan Run.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann discussed the excellent participation received over the weekend in planting 250 flats of flowers in the area of Sparrow Estates.

Councilmember Schmidt asked the Mayor when an announcement would be available regarding camps for kids as it would be helpful if this were available before the closing of school. Councilmember Schmidt also expressed her thanks to Parks Department employees for the good job done in preparing the cemeteries for Memorial Day weekend.

Councilmember Belen also commented on the excellent work done by the Parks Department in the cemeteries.

Councilmember Benavides commented on the letter from the Mayor regarding the budget and stated that he wished the Mayor had made some of this information available during budget negotiations.

COUNCIL PRESIDENT BELEN:

Council adjourned at 8:40 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 4, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
June 4, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Lindemann, Schmidt and Worthington

Councilmember Worthington asked to be excused at 7:05 P.M. and returned at approximately 8:15 P.M.

ABSENT: Councilmembers Adado and Ford

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

Motion by Councilmember Schmidt:

To accept the printed Council proceedings for May 14, 1990.

Carried unanimously; Councilmembers Adado and Ford absent.

Motion by Councilmember Benavides to accept the following items under suspension of the rules:

1/ Two Transfer of Fund resolutions

2/ Two letters from the Mayor regarding River Trail grants

3/ A resolution amending Council Rule #45

4/ Councilmember Lindemann requested that those present wishing to make public comment regarding the proposed parking rate increases be allowed to speak after the scheduled public hearings

5/ Councilmember Worthington submitted two resolutions on Public Improvements

Carried unanimously; Councilmembers Adado and Ford absent.

PUBLIC HEARINGS

A. June 4, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on make-safe or demolition of the property located at 1241 Clark.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed handling of this matter, they would have the privilege of speaking at this time.

Paul Pevlik, owner of 1241 Clark, stated that he intends to make repairs to this property. He also stated that he has received a billing from the City for boarding up of this property but that the property has not been boarded up.

Councilmember Lindemann asked Mr. Pevlik to attend the Public Services Committee meeting on Wednesday, June 6, 1990, at 3:00 P.M. to discuss this matter more fully.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. June 4, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing on make-safe or demolition of the property located at 511 Hylewood Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed handling of this matter, they would have the privilege of speaking at this time.

Leeland Johnstone of 3303 Westmont representing his brother who owns this property asked for an extension of time. Councilmember Lindemann asked him to attend the Public Services Committee meeting on Wednesday, June 6, 1990, at 3:00 P.M. to discuss this issue.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. June 4, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing to consider Proposed Wastewater Treatment Rates for FY 90-91.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed handling of this matter, they would have the privilege of speaking at this time.

Douglas Austin appeared on behalf of the Industrial Council. He stated that they had only received notice today on this proposed increase. He requested an extension of 2-3 weeks so that the Council will have adequate time to review the proposed increases and provide input back.

Council President Belen stated that time would be provided so that the Industrial Council can review this information.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. June 4, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing to review, prior to confirmation, Special Assessement Rolls B-31, B-32, B-43, B-44 and B-48 for Sidewalk Improvements

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed handling of this matter, they would have the privilege of speaking at this time.

The following felt that the repairs made were unnecessary:

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-Alton Cairns representing his son Scott Cairns of 1625 Roselawn
-Brunner Farrior of 1404 Roselawn
-Evonne Love of 1743 Robertson
-Lisa McCoy of 1439 Bassett
-Robert Hankamp of 605 E. Greenlawn

The following either felt the charges were excessive or they were told they would not be charged for the repairs:

-Dan Stouffer of 700 W. Willow
-Eleanor Roback of 1123 Hapeman

The following stated that they purchased the property, had a title search, and there were no outstanding liens:

-John Bowen representing Tom Gage of 726 Stanley
-Wilbert Stewart of 1123 Glenn and 1423 Comfort Street
-Mrs. Leak of 1324 Glenrose
-Kevin Berry of 1417 Lamont

The following felt that the repairs were not performed properly or that the damage was caused by City:

-Raymond Rivera of 1122 Westmoreland
-Ron Tichman of 1431 Knollwood
-Steven Heldorf of 821 Comfort
-Donna Sees of 1113 Hapeman

The following had questions regarding the assessments:

-Mildred Cady of 1363 Roosevelt
-Lisa McCoy of 1439 Bassett
-Mrs. Arendsen of 1115 Comfort Street
-Thomas Patrick of 1132 and 1134 South Washington
-Russell Greear of 1517-½ Bailey

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Under suspension of the rules, the following were allowed to speak at this time regarding the proposed increases in parking rates and fines for downtown Lansing.

-Bill Torrence of 208 Redner stated that he was promised an explanation of the rate increases at the 5/29/90 Council meeting and none has been provided

-Julie Haischer, a State of Michigan employee, stated that she commutes daily from Howell and feels that the rates should be uniform in all of the lots and ramps

-Dave Pike of 4443 DeCamp in Holt who works for the State of Michigan stated that the rate increases are too high and that he would be encouraging a boycott of downtown businesses in protest of the planned increases

-Russell Greear of 1517-½ Bailey spoke in opposition to the proposed rate increases

-Diane Esper of the State Department of Social Services stated that she supports Dave Pike's viewpoint and planned boycott of downtown businesses

-Mr. Gonzales of 2375 Hewlitt in Okemos also stated that he supports Dave Pike's viewpoint and feels that the increases are too high

The following made comments on other items up for action on tonight's agenda:

-Harold Leeman of 529 N. Francis stated that he hoped Council support for the feasibility study for a monorail between downtown and Michigan State University does not mean that they are endorsing the removal of the green space on Michigan Avenue between Heatherwood Farms and Harrison Road.

-Ken Frye of the City of Potterville stated that he felt the proposed route of the monorail would be detrimental to the view of the Capitol Building. He felt that consideration should be given to a different route. Mr. Frye also mentioned that he is the representative for the City of Potterville on recycling efforts and that he hoped a regional concept for recycling would be pursued by governmental agencies.

SPECIAL CEREMONIES

Mayor McKane presented a commemorative MSU football to Tom Finley of the Boys and Girls Club of Lansing.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously; Councilmembers Adado and Ford absent.

A. Letter from Leola Taylor of the Lansing Elks informing of a Community Expo to be held on June 22nd and 23rd

REFERRED TO THE MAYOR

B. Letter from John Hart, President of the Capital Area Audubon Society, supporting the Forest Road Scenic Corridor

RECEIVED AND PLACED ON FILE

C. Letter from John Pettinger, President of Cameron Tool Corporation, requesting reaffirmation of Industrial Facilities Exemption Certificate

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

D. Letter from Kim Nokes of the Tri-County Planning Commission enclosing final version of the Ingham County Solid Waste Management Plan as required by Act 641

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

E. Request for non-profit Status from Employees Club of the Board of Water and Light

REFERRED TO THE CITY ATTORNEY

F. Letter from Joanne Manshum of 6335 Marscot Drive stating she hopes Police Department Helicopters are not Cut from Budget

RECEIVED AND PLACED ON FILE

MAYOR or EXECUTIVE ASSISTANT COMMENTS

Mayor McKane discussed letters D1, D3, D4, D5 and D6 on

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tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

Resolution #301
June 4, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

SHOW LICENSE: Schmidt Amusements

TRANSFER OF LIQUOR LICENSE: Jean Manuel (from Faiek Zeineh)

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmembers Adado and Ford absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 29, 1990 for Review

RECEIVED AND PLACED ON FILE

C. **Resolution #302**
May 23, 1990
Council President Lucile Belen and Council Members
l0th Floor City Hall
Lansing, MI 48933

Dear Council President Belen and Council Members:

Attached please find a memorandum from the City Treasurer requesting approval of Harry A. Spenny II, to continue to serve as a member of the Income Tax Board of Review.

Your attention to this matter will be appreciated.

Sincerely,
Stephen Duarte, Director of Finance

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to approve the reappointment of Harry A. Spenny II to the Income Tax Board of Review.

Carried unanimously; Councilmembers Adado and Ford absent.

D. Letters from the Mayor re:

1.
Resolution #303
May 31, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear Council President and Councilmembers:

Judith Filice, who currently serves as a 2nd Ward member on the Park Board, has had a change of address. Therefore, I hereby transfer Ms. Filice to the At-Large position currently held by Dorothy Kowalski and appoint Ms. Kowalski to the 2nd Ward position. Both terms will expire June, 1994.

Your confirmation of these appointments will be greatly appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Lindemann:

Resolved by the City Council, City of Lansing, to confirm these appointments.

Carried unanimously; Councilmembers Adado and Ford absent.

2.
Resolution #304
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: May 31, 1990
SUBJ: Request for Public Hearing regarding Demolition at 906 N. Pine Street (Garage Only) and 836 E. Shiawassee

The attached request for public hearing regarding the above-named demolitions is being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Resolved by the City Council, City of Lansing, to set a Public Hearing for the Demolition at 906 N. Pine Street (garage) and 836 E. Shiawassee.

Carried unanimously; Councilmembers Adado and Ford absent

3. Sale of Homesteading Property

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Barricade Report

RECEIVED AND PLACED ON FILE

5. Proposed Ordinance Environmental Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

6. Anti-Drug Ordinance Package

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee reports.

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RESOLUTIONS

Resolution #305
THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Engler for Governor Committee has applied for City approval of beer and wine sales in Riverfront Park on Saturday, June 23, 1990, in conjunction with a picnic fundraiser; and

WHEREAS, the application has been reviewed and approved by the Police Department and the Parks and Recreation Department; and

WHEREAS, the Committee on General Services has determined that the requirements of Section 608.04 of the Code regarding sale and consumption of beer and wine on public property have been satisfied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the application of the Engler for Governor Committee for permission to sell beer and wine in Riverfront Park on June 23, 1990.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #306
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Father Germain Belen, Pastor of Holy Cross Parish and Chaplain of the Knights of Columbus Richard Council #788, is celebrating the 40th anniversary of his priesthood ordination; and

WHEREAS, Father Germain was born and raised in Lansing, attended Holy Cross grade school, and was graduated from St. Mary's High School in 1939; and

WHEREAS, he began his studies for the Franciscan priesthood in 1940, was ordained by the Bishop of Albany, New York, on June 3, 1950, and celebrated his First Mass on June 11, 1950, as the very first Mass celebrated in the newly built Holy Cross Church; and

WHEREAS, after several assignments in various Franciscan parishes, Father Germain became Guardian of Holy Cross Friary and Pastor of the Parish in August 1982;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 4th Day of June, 1990, hereby commends and congratulates FATHER GERMAIN BELEN, OFM CONV., on the occasion of the 40th anniversary of his ordination to the priesthood, for his outstanding service to the people of his parish and to his faith.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #307
BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, DR. JAMES SWIFT, Principal of Maplewood Elementary School for the past five years, is retiring after an outstanding career as an educator; and

WHEREAS, Jim and Rhoda Swift moved to Lansing in 1962, and Jim taught then later was appointed principal at Valley Farms School; and

WHEREAS, Jim moved to Reo School, where he served as principal for 14 years; and

WHEREAS, Jim's next assignment was Maplewood School, where he has been the top administrator for the past eight years; and

WHEREAS, Jim and Rhoda will be recognized at a retirement reception on June 6, 1990, by the Maplewood School staff, their four children and two grandchildren;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends Dr. James Swift for his outstanding service to the students and families of the Lansing School District; and

BE IT FURTHER RESOLVED the Council wishes Jim and Rhoda a long, happy and fulfilling retirement.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #308
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council has received a presentation from Joseph Pandy, Managing Director of the Board of Water and Light, about the concept of a monorail that would connect downtown Lansing with the campus of Michigan State University; and

WHEREAS, Mr. Pandy advocated a feasibility study to determine whether such a monorail system would have sufficient demand to make it financially worthwhile; and

WHEREAS, the Council has no immediate intentions of making a commitment of support for a monorail system, but agrees that a feasibility study should be conducted if there is participation by appropriate governmental units;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby endorses the concept of a feasibility study for a monorail system linking downtown Lansing with the campus of Michigan State University; and

BE IT FURTHER RESOLVED the City Council reserves any decision on City of Lansing financial support of such feasibility study pending further information on costs and participation by other governmental units and agencies.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #309
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-7-90
University Corporate Research Park
Street Names

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WHEREAS the Board of Directors of the University Corporate Research Park has requested to name two streets in their research Park "Alliance Drive" and "Technology Parkway," located west of Collins Road and south of Forest Road; and

WHEREAS the name "Alliance Drive" was chosen for the secondary street which intersects with Forest Road and "Technology Parkway" for the main road which intersects with Collins Road in two locations; and

WHEREAS the various agencies/departments to review this name request have indicated there is no duplication and/or sound-alike names to conflict with the requested names; and

WHEREAS the Planning Board on Tuesday, May 15, 1990 voted to recommend approval of the two names; and

WHEREAS the Physical Development Committee of Council, to whom the report of the Planning Board was referred, concurs therewith;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Lansing hereby approves the names "Alliance Drive" and "Technology Parkway" as requested for the University Corporate Research Park.

BE IT FINALLY RESOLVED that the City Clerk be directed to notify the petitioner of this action.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #310
COMMITTEE ON PHYSICAL DEVELOPMENT

Act-8-90
Nellers Court
Vacate Street Right-of-Way

WHEREAS the Lansing Planning Board has completed a Public Act 285 review of the proposal to vacate Nellers Court, located south of Baker Street between Washington Avenue and South Cedar Street, and

WHEREAS the Planning Board found, based on testimony and evidence, that the street right-of-way is no longer needed to access property which has been acquired by the City and cleared of structures, and

WHEREAS the Planning Board recommends that the right-of-way be vacated subject to reservation of easements for utility service, and

WHEREAS the Lansing City Council concurs with this recommendation,

NOW THEREFORE BE IT RESOLVED that Nellers Court south of Baker Street between Washington Avenue and South Cedar Street is hereby vacated subject to reservation of easements which may be necessary for utility service.

BE IT FURTHER RESOLVED that the street be barricaded at Baker Street to prevent access until the street surface is removed.

BE IT FINALLY RESOLVED that the City Administration is hereby authorized to carry out the vacation of the street with conditions consistent with this policy.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #311
BY: COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the City of Lansing, through its Development Division, has made residential improvement loans under its Residential Rehabilitation Deferred Loan Program with Community Development Block Grant Funds; and

WHEREAS, loan recipients under this program were required to meet certain financial eligibility requirements; and

WHEREAS, the program was limited to improvements/rehabilitation of the owner occupied residential homes of the recipients; and

WHEREAS, loans under the program are without interest and are not required to be repaid until the claimant vacates, sells, transfers or assigns his/her interest in the property and until such loan is repaid, is secured by a lien on the recipients residence; and

WHEREAS, some recipients may be required by the State of Michigan or the City of Lansing to sell their homes which are subject to said lien, to such governmental unit for a public improvement under eminent domain or pursuant to condemnation proceedings;

NOW, THEREFORE, BE IT RESOLVED if a request is made by a recipient of a Residential Rehabilitation Deferred Loan before the recipient transfers, sells, vacates or assigns the property subject to a lien for said loan, the recipient may have the due date of his/her loan extended until the time the recipient vacates, sells, transfers or assigns his/her interest in the replacement home, provided the loan recipient meets all the following criteria:

1. The sale of the residence which secures the loan is made to the State of Michigan or the City of Lansing for a public improvement under eminent domain or pursuant to condemnation proceedings; and

2. The recipient is purchasing contemporaneous with the sale of said residence, a replacement residence located within the corporate limits of the City of Lansing; and

3. The recipient, at the time of closing on the replacement home executes a document in favor of the City which secures said loan by a lien on the replacement home. Said security document shall be in the form acceptable to and approved by the City Attorney.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #312
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolution No.

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the following Special Assessment Roll for new construction and/or repair of sidewalk

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Assessment Roll Number B-30
Public Service Number 26049
Assessable Cost $207,919.66

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said special assessment amounts on or before September 4, 1990.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #313
BY: COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, Gwendolyn Gillison is obligated to the City for two (2) Residential Rehabilitation Deferred Loans in the total sum of Nine Thousand Six Hundred Dollars ($9,600.00) for the rehabilitation of her present home at 511 S. Dr. Martin Luther King, Jr. Blvd./Logan Street, Lansing, Michigan; and

WHEREAS, the State of Michigan is acquiring 511 S. Dr. Martin Luther King, Jr. Blvd./Logan Street for the Capitol Loop expansion, and Ms. Gillison is being required to relocate from her home to another residence located within the corporate city limits of Lansing; and

WHEREAS, Ms. Gillison would not be moving from her current residence but for the taking of her property by the State of Michigan for such road expansion; and

WHEREAS, Ms. Gillison requests that she be permitted to extend the due date for repayment of said loans until she vacates, sells, transfers or assigns her interest in the replacement property;

NOW, THEREFORE, BE IT RESOLVED that the aforesaid request of Ms. Gillison is granted subject to her first complying with the condition that at the time of the closing on the replacement home, she executes a document in favor of the City which secures said loan by a lien on the replacement home. Said security document shall be in the form acceptable to and approved by the City Attorney.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #314
BY COMMITTEE ON WAYS AND MEANS
6/4/90

FY-91

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$9,600.00 from Reserve for Contingency—
Control Acct. A/C 101-173901-992200-13055
9,600.00 to Parks & Recreation—
Budget Control A/C 101-783860-992200-00000
(Kids camps for Mount Hope School, Cristo-Rey and Washington Park. To account numbers #101-783833-707000-0 and #101-783833-741000-0)

The Balance in the Reserve for Contingency Fund after this transfer is $377,575.00

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #315
BY COMMITTEE ON WAYS AND MEANS
6/4/90

FY-91

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$22,500.00 from District Court Expenditures
A/C101-132200-992200-00000
22,500.00 to Parks & Recreation—
Budget Control A/C 101-783860-992200-00000
(Extended hours of operation for community centers July-August 1990. To account #101-783831-707000-0)

$22,500.00 from District Court—
Bgt. Cont. Acct. A/C 760-132201-992200-00000
22,500.00 to District Court—
Budgeted Fund Bal. A/C 760-000000-390001-00000
(Costs of wiring to handle Court-automated systems funded in FY-90.)

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #316
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Public Act 101 of 1985 establishes the Michigan National Resources Trust Fund which provides for acquisition and development of land for public recreational purposes; and

WHEREAS, The City of Lansing desires to construct the River Trail east from Aurelius Rd toward East Lansing; and

WHEREAS, A grant in the amount of $375,000 from the State has been approved for award to construct the River Trail east from Aurelius Rd; and

WHEREAS, The City match in the amount of $125,000 has been budgeted; and

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WHEREAS, The City agrees to maintain satisfactory financial records for the project and make them available for an audit; and

WHEREAS, The City also agrees to construct the project and provide such services, materials and additional funds that may be needed:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the executing of the agreement on behalf of the City of Lansing and agrees to comply with the terms and conditions of said agreement.

YEAS: Belen, Benavides, Crawford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado, Ford

Resolution #317
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Public Act 101 of 1985 establishes the Michigan Natural Resources Trust Fund which provides for acquisition and development of lands for public recreational use; and

WHEREAS, The City of Lansing desires to acquire the Conrail R.O.W. on the south side of the Grand River in north Lansing for future construction of the River Trail; and

WHEREAS, A grant in the amount of $80,250 from the State has been approved for award to purchase the property; and

WHEREAS, The City match in the amount of $26,750 has been budgeted; and

WHEREAS, The City of Lansing shall be solely responsible for operation and maintenance of the site:

NOW, THEREFORE, BE IT RESOLVED The Lansing City Council hereby authorizes the execution of the agreement on behalf of the City of Lansing and agrees to comply with the terms and conditions of said agreement.

YEAS: Belen, Benavides, Crawford, Lindemann, Sohmidt, Worthington

NAYS: None

ABSENT: Adado, Ford

Resolution #318
By: Committee of the Whole

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING:

WHEREAS, the Open Meetings Act of the State of Michigan provides at MCL 15.267(1) that minutes of closed sessions of a public body shall be taken by the clerk or the designated secretary of the public bodly;

WHEREAS, Rule 45 of the Council provides that minutes of closed sessions of the Council shall be taken by the City Clerk or "his or her designate";

WHEREAS, the Council desires to amend Rule 45 so as to bring it into conformance with the Open Meetings Act;

NOW, THEREFORE, BE IT RESOLVED, that Council Rule 45 is hereby amended by deleting the phrase "his or her designate" and replacing it with the phrase "the designated secretary of the Council";

BE IT FINALLY RESOLVED, that, except as provided herein, Council Rule 45 remains in full force and effect.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #319

PUBLIC IMPROVEMENT III

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the City Council of the City of Lansing

That the Special Assessment Roll for Curb & Gutter, Storm Sewer and Sanitary Sewer,

AURELIUS ROAD RECONSTRUCTION, PHASE II, PS 87063

ASSESSMENT ROLL #318
PROPERTY BENEFITED: All lands fronting on the west side of Aurelius Road from I-96 south to Willoughby Road and all lands fronting on Dell Road from Aurelius Road west to the west end and all lands fronting on KinGdon Ave from 600 feet north of Willoughby Rd to the north end of the street and all lands fronting on Willoughby Road from Aurelius Road west 500 feet and excepting all public streets, alleys and other land deemed not benefited

be revised and the estimated cost of said improvements be based on construction bids as follows:

ROLL 318	CITY SHARE	ASSESSABLE TO DELHI TOWNSHIP	ASSESSABLE TO PROPERTY OWNERS	TOTAL PROJECT COST
San Sewer	2,362.67	34,513.43	95,575.44	132,451.54
Storm Sewer	94,798.55		106,525.08	201,323.63
Curb & Gutter	45,619.53		48,166.93	93,786.46
Road Const.	356,260.92			356,260.92
Delhi Twp San Connection Fee	(25 x 1100)		27,500.00	27,500.00
TOTAL	499,041.67	34,513.43	277,767.45	811,322.55

That said revised estimated cost returned by the Public Service Department be received and placed on file, and the City Clerk be directed to publish a notice thereof in a local newspaper five days in accordance with Chapter 1026 of the Code of Ordinances.

RESOLVED FURTHER, that the City Council will meet at the Council Rooms on Monday, June 18, 1990, for the purpose of reviewing said Assessment Roll.

Let it be known any person who wishes to protest this Special Assessment must appear and protest at the Special Assessment Hearing, in order to appeal the amount of the Special Assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the Hearing to protest the Special Assessment, or shall be permitted to file his or her appearance or protest by letter, and his or her personal appearance shall not be required. The City shall maintain a record of the parties who appear to protest at the Hearing. If a Hearing is terminated or adjourned on the day before a party is provided the opportunity to be heard, a party whose appearance was recorded is considered to have

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protested the Special Assessment in person.

I hereby certify that funds are available for the City of Lansing's share of said project as follows:

City Share Sanitary Sewer
590-453670-973000-20100 ..... $2,362.67
City Share Storm Sewer
401-933615-973000-41413 ..... $60,000.00
City Share Curb & Gutter
403-933601-974100-42538 ..... $45,619.53
Road Construction
403-933601-974100-42538 ..... $391,059.47
Delhi Sanitary
From Delhi Twp. $34,513.43
Assessment Roll #318
404-933601-974100-12053 ..... $277,767.45

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

Resolution #320A

PUBLIC IMPROVEMENT III

Resolved, by the City Council of the City of Lansing

That the special assessment roll for the curb and gutter, sanitary sewer, and storm sewer construction on Jolly Road,

PROPERTY BENEFITED
CURB AND GUTTER: All lands fronting on Jolly Road from Devonshire to Aurelius Road excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED
STORM SEWER: All lands fronting on Jolly Road from Tranter to Aurelius Road excepting all public streets alleys and other land deemed not benefited.

PROPERTY BENEFITED
SANITARY SEWER: All lands fronting on Jolly Road from 1501 East Jolly to the Conrail Railroad Right of Way excepting all public streets alleys and other land deemed not benefited.

be received, approved and placed on file.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. 319

	CITY & FEDERAL CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
STORM SEWER	109,687.65	73,067.19
SANITARY SEWER	0.00	49,638.03
CURB & GUTTER	95,129.74	64,366.06
OTHER COSTS	477,530.89	0.00
TOTAL COSTS	682,348.28	187,071.28

Project to be part of the Jolly Road Reconstruction, P.S. #78014.

as returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Chapter 1026 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, June 18, 1990, at 7:00 PM for the purpose of reviewing said assessment roll.

Let it be known any person who intends to protest this special assessment must appear and protest at the special assessment hearing in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. The protest of this special assessment must be presented by the property owners or their representative in person or in writing at the public hearing as scheduled above.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

City Share of Costs 49,067.06
Account Number 403-933601-974100-42539

F.A.U.S. Share of Costs 633,281.23
Federal Share

Assessment Roll #319 ..... 187,071.27
Account Number 404-933601-974100-12054

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

ORDINANCES FOR INTRODUCTION

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-5-90—324 North Pine Street to be rezoned from "DM-3" Residential District to "D-2" Residential Office District

Z-9-90—320 North Walnut Street to be rezoned from "DM-4" Residential District to "D-1" Professional Office District

were introduced by Councilmember Worthington, read a first and second time by their titles and referred to the committee on Physical Development.

Resolution #320B
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 25, 1990, at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-5-90—324 North Pine to be rezoned from "DM-3" Residential District to "D-2" Residential Office District.

Z-9-90—320 North Walnut Street to be rezoned from "DM-4" Residential District to "D-1" Professional District.

By Councilmember Worthington:

Carried unanimously; Councilmembers Adado and Ford absent.

ORDINANCES FOR PASSAGE

Ordinance #2309
BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the

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Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-1-90—910 South Holmes to be rezoned from "D-1" Professional Office District to "C" Residential District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-1-90—910 South Holmes to be rezoned from "D-1" Professional Office District to "C" Residential District be now passed.

YEAS: Belen, Benavides, Crawford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado, Ford

ORDINANCE #2309
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To Change the zoning classification on the property described as:

Case Number: Z-1-90, 910 South Holmes Street
Parcel Number: 3301-22-129-171
Legal Description: The south 2 rods of Lots 1 and 2, Block 5, Manufacturer's Addition #1, City of Lansing, Ingham County, Michigan.

From 'F' Commercial District to 'B' Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

Ordinance #2316
BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-3-90—610 East Sheridan Road to be rezoned from "A" Residential District to "C" Residential District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-3-90—610 East Sheridan Road to be rezoned from "A" Residential District to "C" Residential District be now passed.

YEAS: Belen, Benavides, Crawford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Ford, Adado

ORDINANCE #2316
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-3-90, 610 East Sheridan Road
Parcel Number: 3301-04-228-141 and 001

Legal Description: Lot 68, Supervisor's Plat of Schworer's Bloomfield Farms and Lot 69 except the south 121 feet thereof, Supervisor's Plat of Schworer's Bloomfield Farms, City of Lansing, Ingham County, Michigan

From "A" Residential District to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

1/ Two Transfer of Fund resolutions
(Handled as Resolution Nos. 314 & 315)

2/ Two letters from the Mayor regarding River Trail grants
(Handled as Resolution Nos. 316 & 317)

3/ A resolution amending Council Rule #45
(Handled as Resolution # 318)

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4/ Councilmember Lindemann requested that those present wishing to make public comment regarding the proposed parking rate increases be allowed to speak after the scheduled public hearings
(Comments regarding proposed parking rate increases are included in Public Comments section after scheduled public hearings)

5/ Councilmember Worthington submitted two resolutions on Public Improvements
(Handled as Resolution Nos. 319 & 320)

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Benavides:

To excuse the absence of Councilmembers Adado and Ford from this meeting.

Carried unanimously.

PUBLIC COMMENTS

Steve Johnson of 1115 W. Allegan stated that he is still in opposition to the removal of the barricades on Allegan and that he feels stronger police presence is needed in this area.

Muhammed Frank Curtis agreed that more police enforcement is needed in the Allegan Street area.

Russell Greear of 1517-½ Bailey stated that he was in support of the recall effort being conducted.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that there will be a press conference covering the shuttle system that will be put in place to help free up downtown parking space and problems.

The Mayor also stated that the recycling efforts within City government are being enlarged by the inclusion of the Police Department, Fire Department, Parks Department and other areas into pickup points for recycled paper.

The Mayor stated that the 3rd annual Michigan Run held on Saturday, June 3, 1990, was very successful with 1500 participants.

In response to Steve Johnson's concerns on Allegan Street, the Mayor stated that the criminal activities in this area have significantly declined as can be seen in the most recent Barricade Report.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann stated that he has received many comments regarding the ease of travel on Cedar Street during the construction occurring on this Street. Councilmember Lindemann also stated that a house located at the corner of Kalamazoo and Clifford Streets has grass that is very tall and that he has received many complaints from neighbors about noise at this house.

Councilmember Schmidt mentioned that the General Services Committee meeting scheduled for Tuesday, June 5, 1990, is being cancelled as there are no items for the agenda.

Councilmember Crawford stated that he would like the administration to check into very tall grass on the property behind Channel 6.

COUNCIL PRESIDENT BELEN:

Council adjourned at 9:15 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 11, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
June 11, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by Acting President Benavides.

PRESENT: Councilmembers Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmembers Adado and Belen

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

Motion by Councilmember Ford:

To accept the following items under suspension of the rules:

1/ A resolution for waiver of fees for St. Joe Summer Fest

2/ A petition from residents of the N. Butler area requesting City condemnation of buildings at 519 and 523 N. Butler

A request from Councilmember Ford that residents of this area be allowed to speak at the first public comments

3/ A letter from Calen and Carrie Stone regarding their sidewalk assessment

4/ A request from Councilmember Lindemann that members of the public present at tonight's meeting be allowed to speak at the first public comments regarding the proposed increases in parking rates

Carried unanimously; Councilmembers Adado and Belen absent.

PUBLIC HEARINGS

There were no scheduled public hearings.

PUBLIC COMMENTS

The following residents of the North Butler area requested condemnation of the buildings located at 519 and 523 N. Butler based upon levels of illegal activities occurring at these locations:

-Bob Brockwell of 815 Bancroft Court
-Al George of 515 N. Butler
-Phil Auber of 732 W. Genessee
-Frank Curtis of 1137 W. Allegan
-Alan Kamens of 527 S. Verlinden
-Esther McFadden of 1218 W. Maple
-Ruth Holmes of 1014 W. Lapeer
-Leslie Hardin of 425 N. Sycamore
-Vince Donaldson of 814 W. Ionia

The following speakers were opposed to the proposed increase in downtown parking rates:

-Dave Pike of 4443 DeCamp, Holt
-Nancy Rezi of 1810 W. Dexter Trail, Mason
-Russell Greear of 1517-½ Bailey
-Kirk Kunklema of 1514 N. Turner
-Manuel Gonzales of 2375 Hewlitt Road, Okemos
-Debbie Green of 214 S. Church, Potterville
-Pat Grenl of 2598 Holt Road, Mason

Gladys Gilson of 223 W. Barnes stated that she felt the State of Michigan is responsible to a large degree for the problems with parking space in downtown Lansing.

SPECIAL CEREMONIES

There were no Special Ceremonies.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

A. Letters protesting the special sidewalk assessment rolls received from:

-Charles Lewis of 901 Holten Street
-Dana Kares of 600 Tisdale Avenue

REFERRED TO THE CITY ATTORNEY

-Larry and Marsha Warren of 501 North Oak Street, Evart

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Z-14-90 Petition for rezoning 3818 South Cedar Street from "A" Residential and "J" Parking to "F" Commercial District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Progress Report # 8 on the Motor Wheel Disposal Superfund Site received from the Department of Natural Resources

RECEIVED AND PLACED ON FILE

D. Progress Report # 2 on the Adams Plating Superfund Site received from the Department of Natural Resources

RECEIVED AND PLACED ON FILE

E. Notice of the issuance of a License for a Foster Family Group Home for Children received from the Department of Social Services; License issued to Curtiss and Sara Jackson of 5923 Laporte

REFERRED TO THE MAYOR

F. Letters received protesting the proposed increase in downtown

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parking rates received from:

-Joyce Frydel of 221 N. Washington Square
-Debbie Cooper of 221 N. Washington Square, Room 520
-Jan Risner of 221 N. Washington Square, Room 520
-Helen Taylor of 221 N. Washington Square
-Betsy Anne Montgomery of 5262 Blue Haven Drive
-Patricia Willett of 5010 Stafford
-Rosemary Koster of 1007 Harvest Lane
-William Shipp
-Juli Haischer of 161 Eastdale, Howell, enclosing petition signed by 160 people
-A petition signed by 52 people

RECEIVED AND PLACED ON FILE

G. Letter received from Joseph Pandy, Jr. of the Board of Water & Light expressing concern over the proposed sewer rate increase

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

H. Letter from Ward A. Rainwater of Cosby, Tennessee, thanking Councilmembers for the increase in retirement benefits for Policemen and Firemen

RECEIVED AND PLACED ON FILE

I. Letter from Janice Higgins of 3611 Stoneleigh concerning rude treatment received from a City employee

REFERRED TO THE MAYOR

J. Letter from Rachel Houseman of the Michigan Association of Community and Adult Education requesting non-profit status for a raffle

REFERRED TO THE CITY ATTORNEY

K. Michigan Tax Tribunal Appeal received from Snyder and Handler on behalf of:

-Chadburne LDHA
-Woodbridge Commons
-Village Townhouses Cooperative
-Canterbury Commons
-Coronado Gardens Cooperative

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

L. Michigan Tax Tribunal Appeal received from Honigman, Miller, Schwartz and Cohn on behalf of:

-Cavanaugh West Apartments

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

M. Letter and report received from the Eaton County Equalization and Property Description Department regarding computation of the 1990 Millage Reduction Fraction

REFERRED TO THE MAYOR

N. Newsletter received from the Supervisory Division of the Capitol City Lodge

RECEIVED AND PLACED ON FILE

O. Ingham Intermediate School District 1990 Summer Tax Certification

RECEIVED AND PLACED ON FILE

P. Notice of the issuance of Licenses for Adult Foster Care Homes received from the Department of Social Services; Licenses issued to:

-Judith Day of 3431 Radford
-Imogene Wright of 204 E. Mt. Hope

REFERRED TO THE MAYOR

Q. A Petition signed by 129 People opposing the Proposal to create a new Access to Groesbeck Golf Course

REFERRED TO THE MAYOR AND THE PARKS BOARD

R. Letter from Chief Judge John Davis of the 54-A District Court advising that the Court will be Implementing Adjustments to Traffic Fines

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

S. Letter from John Blackwood, Principal of the English Language Study Center of Lecce, Italy, requesting copies of Council brochures and other information Items for use in Teaching English

REFERRED TO THE CITY CLERK

MAYOR or EXECUTIVE ASSISTANT COMMENTS

Mr. Boyd mentioned letters numbered XC7 and XC8 from tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

Resolution #321
June 11, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Josephy Demyers, Charles Goodrich
SIGN ERECTOR: Bill Carr Signs, Inc.
WRECKER SERVICE: Jack's Automotive Center
MECHANICAL AMUSEMENT DEVICES: Bootleggers, Holiday Inn South, Unicorn Tavern
LIQUOR LICENSE TRANSFER: From B & B Tap Room, Inc. to Bonnie's Place, Inc.; 326 N. Cedar Street

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

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Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmembers Adado and Belen absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 4, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Z-8-90 215/219 West Lapeer Street to be rezoned from "DM-3" Residential to "D-1" Professional Office District

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Approval of Proposed Wastewater Treatment Rates by Board of Public Service

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Public Improvement II—PS 64119 Curb & Gutter and Storm Sewer Richard Road, Fielding Drive, Ballard Street, Whyte Street and South Cedar Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Public Improvement II—Assessment Roll #321 Curb and Gutter and Sidwalk—Cavanaugh Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Barricade Report for Vivian Riddle and Eastside

RECEIVED AND PLACED ON FILE

6. **Resolution #322**
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: June 7, 1990
SUBJ: Request for Public Hearing Regarding Demolition or Make Safe of the Following Properties: 1122 West Allegan, 3208 Creston Ave., 713 Randall Street, 1507 Sheldon Avenue

The attached request for public hearing regarding the above-named properties is being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent.

7. **Resolution #323**
June 7, 1990
Council President Lucile Belen and Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the reappointment of Sister Mary Janice Belen to the Board of Water and Light. This term will expire June, 1994.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent.

8. Resignation of Kenneth Tableman from the Waterfront Development Board

RECEIVED AND PLACED ON FILE

9. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee reports.

RESOLUTIONS

Resolution #324
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District on property at 1800 Bassett Avenue, more fully described on Attachment A; and

WHEREAS, Cameron Tool Corporation has applied for an Industrial Facilities Exemption Certificate for the construction of a new facility within said district; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Cameron Tool Corporation's application for an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, July 2, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent.

ATTACHMENT A

The north 132 feet of Lots 27 and 28 and the north 132 feet of the west 27.7 feet of Lot 29, Assessor's Plat No. 11 on the northwest ¼ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan.

The north 132 feet of the west ½ of Lot 30, and the north 132 feet of the east 9.3 feet of Lot 29; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

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Lot 31, except the east 163 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 32, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 33, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 34, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lots 1 through 9, Outlots A and B, vacated Shirann Street, and to be vacated Owens Street adjoining Lots 6 through 9 and Outlots A and B; all in Shirann Subdivision, City of Lansing, Ingham County, Michigan.

Resolution #325
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Chapters 655 and 1460 of the Lansing Code of Ordinances, the Building Safety Division issued on or about February 27, 1990, a Notice and Abatement Order that the condition of a large hole (excavation) filled with water on the property located south of 6936 S. Cedar Street, more particularly described as:

Lots 81, 82, 83 and 84 Just-A-Mere Farm Sub.;

constituted a public/attractive nuisance and must be abated; and

WHEREAS, the City Council scheduled a hearing on May 21, 1990, to review the report and order of the Building Safety Division and the owner(s) of said property were notified, in writing, as provided by ordinance, of said hearing and had an opportunity to appear and show cause why the order should not be affirmed; and

WHEREAS, on May 29, 1990, no one appeared for purposes of objecting to the Notice and Abatement Order; and

WHEREAS, the City Council determined after said May 29, 1990, hearing that the Enforcement Officer's report should be accepted and the order of abatement approved;

NOW, THEREFORE, BE IT RESOLVED the Council of Lansing approves the February 27, 1990, order of Building Safety Division to abate the nuisance condition on the vacant lot south of 6936 S. Cedar, Lansing, Michigan.

BE IT FURTHER RESOLVED that the conditions at said vacant lot south of 6936 S. Cedar, Lansing, Michigan, of a large hole (excavation) filled with water is hereby found to constitute a nuisance and the owners are hereby ordered and directed to abate said conditions within three (3) days from the date of passage of this resolution;

BE IT FURTHER RESOLVED that if the owners shall fail to abate said nuisance within three (3) days after the date of passage of this resolution, the Director of the Building Safety Division is hereby directed to cause the aforestated conditions to be abated;

BE IT FURTHER RESOLVED that the costs, including administration cost, of such abatement shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon failure to pay the same within thirty (30) days after mailing by the City Assessor the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent

Resolution #326
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 511 Hylewood Avenue, legally described as:

3301 04 103 311
Lot 60, Hylewood Subdivision

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on April 26, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 4, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution June 11, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the

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property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent.

Resolution #327
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1241 Clark, legally desoribed as:

3301 10 401 201
Lot 37, Otto's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan: and

WHEREAS, a hearing was held by the Hearing Officers on April 25, 1990; at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe: and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 4, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution June 11, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building: and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent.

Resolution #328
BY COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council has considered an ordinance revision for the purpose of creating a separate Recycling Advisory Board; and

WHEREAS, the Board of Public Service, currently charged with the function of overseeing refuse collection programs, has, instead, recommended to the City Council the creation of an Ad Hoc Recycling Committee; and

WHEREAS, the Recycling Committee would provide the necessary guidance to the Board of Public Service, Department of Public Service, Lansing City Council, and the Mayor, for developing and implementing a recycling program in cooperation with the consultant as retained by the State of Michigan for the Clean Michigan Communities grant; and

WHEREAS, the Mayor concurs with this recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes a 10 person Ad Hoc Recycling Committee; and

BE IT FURTHER RESOLVED, that the Ad Hoc Recycling Committee shall be comprised of the following representatives:

1. Two members from the City Council.
2. One member from the Mayor's Office.
3. Three members from the Board of Public Service.
4. Four members appointed by the City Council President, two from the City At-Large; and two from the Recycling Coalition; and

BE IT FINALLY RESOLVED, that all members appointed by the Council President shall be Lansing residents.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Belen absent.

Resolution #329
BY COMMITTEE ON WAYS AND MEANS 6/11/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$11,400.00 from Reserve for Contingency—
Control Account A/C 101-173901-992200-13055
11,400.00 to City Council—
Control Acct. A/C 101-112101-992200-00000
(Reupholstering gallery seating in Council Chamber and installation of wiring conduit.)

The Balance in the Reserve for Contingency Fund after this

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transfer is $366,175.00

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Belen absent.

Resolution #330
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the St. Joe Summer Fest Committee has requested City assistance for a series of youth activities at St. Joe Park each Saturday during the summer of 1990; and

WHEREAS, the Director of Parks and Recreation and the Mayor have recommended approval of the request; and

WHEREAS, the Summer Fest Committee has secured the proper insurance coverage as required by City policy;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves City support of the St. Joe Summer Fest scheduled for each Saturday beginning June 16, 1990, and concluding August 25. 1990; and

BE IT FURTHER RESOLVED the Council approves the waiver of fees for use of St. Joe Park for the Summer Fest Committee, in an amount not to exceed Five Hundred Dollars ($500).

By Councilmember Ford:

Carried unanimously; Councilmembers Adado and Belen absent.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

Ordinance #816
BY COUNCILMEMBER SCHMIDT:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing Section 8.02 of Chapter 8 for the purpose of permitting public parking on the North Side of the 100 Block of West Michigan Avenue from City Hall Driveway to Capitol Avenue be placed on order of immediate passage.

BY COUNCILMEMBER Schmidt

That this be considered as being read in its entirety.

BY COUNCILMEMBER Schmidt

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing Section 8.02 of Chapter 8 for the purpose of permitting public parking on the North Side of the 100 Block of West Michigan Avenue from City Hall Driveway to Capitol Avenue be now passed.

YEAS: Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado, Belen

ORDINANCE NO. 816
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REPEAL OF SECTION 8.02 OF CHAPTER 8 OF THE LANSING CODE OF ORDINANCES FOR THE PURPOSE OF PERMITTING PUBLIC PARKING ON THE NORTH SIDE OF THE 100 BLOCK OF WEST MICHIGAN AVENUE FROM THE CITY HALL DRIVEWAY TO CAPITOL AVENUE.

The City of Lansing Ordains:

Section 1. That Section 8.02 entitled "Parking; police cars only." is hereby repealed and declared null and void and of no effect.

CONSIDERATION OF LATE ITEMS

1/ A resolution for waiver of fees for St. Joe Summer Fest (Handled as Resolution #330)

2/ A petition from residents of the N. Butler area requesting City condemnation of buildings at 519 and 523 N. Butler
REFERRED TO THE MAYOR, CITY ATTORNEY AND THE COMMITTEE ON PUBLIC SAFETY

A request from Councilmember Ford that residents of this area be allowed to speak at the first public comments

(Residents spoke at first public comments)

3/ A letter from Calen and Carrie Stone regarding their sidewalk assessment

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ A request from Councilmember Lindemann that members of the public present at tonight's meeting be allowed to speak at the first public comments regarding the proposed increases in parking rates
(Those present spoke at the first public comments)

MOTION OF EXCUSED ABSENCE

By Councilmember Ford:

To excuse Councilmembers Adado and Belen from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Russell Greear of 1517-½ Bailey made comments regarding the increase in taxes being proposed and the fact that the Mayor was on a trip to Mexico.

Muhammed Frank Curtis of 1137 W. Allegan stated that a local night spot told him he was not properly dressed to be present.

Gladys Gilson of 223 W. Barnes again stated that she felt the

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downtown parking problems are due in large part to poor planning by the State of Michigan.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd stated in response to Mr. Greear's charges that the Mayor is in Mexico on official City business with our new Sister City.

Mr. Boyd also mentioned that there will be a Downtown Lansing Art Fair this weekend.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann requested the administration to send a building inspector out to properties located at 1010 Cleveland Street and 1111 Prospect Street to check out possible code violations.

Councilmember Schmidt stated that there will be a flag ceremony in front of City Hall at 8:00 A.M. on Thursday, June 14, 1990, and requested attendance.

Councilmember Ford mentioned the names of the young men responsible for putting together the first St. Joe Summer Fest.

ACTING COUNCIL PRESIDENT BENAVIDES:

Council adjourned at 9:05 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 18, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
June 18, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

Motion by Councilmember Schmidt:

To approve the minutes of Council proceedings of May 21, May 29, and June 4, 1990.

Carried unanimously; Councilmember Adado absent.

Motion by Councilmember Worthington:

To accept the following under suspension of the rules:

1/ Resolution honoring Richard Letts, Director, Human Relations Department

2/ Letter from Julia Keefer of 3618 Lowcroft Avenue regarding condition of house at 3623 Lowcroft Avenue

3/ Resolution recommending the firm of Deloitte-Touche for the audit of the Board of Water and Light Fiscal Year ending June 30, 1990

4/ Two letters received concerning the parking rate increase at Parking Lot # 6 (from Martha Ballou and Willa Swartz)

5/ Letter from Kevin and Renee Berry protesting Sidwalk Repair Assessment, PS #25063, Special Assessment Roll No. B-32

PUBLIC HEARINGS

A. June 18, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding Assessment Roll No. 318 for Santitary Sewer, Storm Sewer, Curb and Gutter known as Aurelius Road Reconstruction, Phase II, PS #87063.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessment, they would have the privilege of speaking at this time.

John Loveall of 6500 Aurelius Road stated that he feels they need the sanitary sewer but that the storm sewers and curb and gutters are not needed. He also strongly objected to the large amounts of the assessments.

Bob and Judy Ranney of 6700 Aurelius Road stated that they felt the cost should be shared by all taxpayers not assessed so heavily upon the residents of the Aurelius Road area.

Irene Majeski of 1921 E. Willoughby Road stated that they already have a storm sewer and should not be assessed again.

Paul Howard of 6860 Aurelius Road stated that he does not have a drainage problem on his land.

James Cairns of 1929 E. Willoughby Road stated that he feels costs are not being properly shared and that some of the large developments occurring in the area should share in the costs.

Janice Burch of 6544 Aurelius Road objected to the amount of the assessment.

Carl Acker of 1937 E. Willoughby Road felt that he does not have a drainage problem and should not be part of the assessment.

Lester and Deborah Smith of 1915 Dell Road stated that they want work to proceed on the sanitary sewer as they are unable to move into their home without this work being completed.

The following residents of Kingdon Avenue felt that they should not be assessed for work being done on Aurelius Road:

-John Hogarth of 6725 Kingdon Avenue
-Cathy Kirby of 6835 Kingdon Avenue
-Richard Rhodabeck of 6737 Kingdon Avenue
-Mike Thompson of 6917 Kingdon Avenue
-Denise White of 6811 Kingdon Avenue

In addition to the above public speakers, the following written communications were received:

-Petition signed by 45 residents protesting the Special Assessment Roll

-Letter from Daniel Parras of 7020 Aurelius Road stating that the calculation of his assessment is incorrect and requesting an extension of time to hook-up to the main sewer line

-Letter from James A. White of White, Beekman, Przybylowicz, Schnieider & Baird, P. C. on behalf of Walter and Marguerita Dyer protesting both the improvement and the assessment thereon

-Letters from residents of Kingdon Avenue protesting the assessment and stating that they feel that since they paid a similar assessment within the last six years, they should not be assessed again; received from:

-Denise White of 6811 Kingdon Avenue
-Bill & Cathy Kirby of 6835 Kingdon Avenue
-Pamela K. Houle of 6817 Kingdon Avenue
-Frank Ledesma of 6801 Kingdon Avenue
-Mr. & Mrs. Richard Rhodabeck of 6737 Kingdon Avenue
-Kathy Hogarth of 6725 Kingdon Avenue
-Berneice Kennedy of 6909 Kingdon Avenue

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-Michael Thompson of 6917 Kingdon Avenue
-Nathan Faher of 6931 Kingdon Avenue
-Mr. & Mrs. Jeffrey Blohm of 6901 Kingdon Avenue
-Charles Richardson of 6641 Kingdon Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. June 18, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding Assessment Roll No. 319 for Storm Sewer, Sanitary Sewer, Curb and Gutter for lands fronting Jolly Road from Jolly to Aurelius Road.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessment, they would have the privilege of speaking at this time.

Bob Kleinman of 1325 E. Jolly Road stated that it would be a hardship for his company to have to pay this assessment within 90 days. City Assessor Marion Hahn explained the process for requesting an extension to Mr. Kleinman.

Dean Marsh representing Hausman Steel Corporation requested an explanation of the basis for the assessment.

Mr. Askew representing Lansing Gardens at 1434 E. Jolly Road stated that he felt the assessment was very large and also was interested in the process of obtaining an extension on payment of the assessment.

In addition to the above public speakers, a letter from Dean Marsh, District Manager of Hausman Steel Corporation, was received stated objections to this assessment.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. June 18, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding Make-safe or Demolish for Property located at 906 N. Pine Street (Garage only).

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessment, they would have the privilege of speaking at this time.

Bill Parrish, owner of 906 N. Pine Street, stated that he has been working on making repairs to the property. He stated that the property at 755 Chicago is in worse disrepair than his and is wondering why the City has not done anything about that property.

John Hauser of #6 Lawler Court stated that there is continual trash at the property at 906 N. Pine Street and requested the City to proceed with the Demolish or Make-Safe action on this property.

Councilmember Lindemann stated that the Committee on Public Services will be considering this matter at its meeting of June 20, 1990.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. June 18, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding Make-safe or Demolish for Property located at 836 E. Shiawassee.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed assessment, they would have the privilege of speaking at this time.

Sam Baldino, owner of 836 E. Shiawassee stated that he is applying for a rehabilitation loan for this property and is obtaining bids to repair the property.

Councilmember Lindemann requested Mr. Baldino attend the Committee on Public Services meeting on June 27, 1990 to discuss this matter.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

Russell Greear of 1517½ Bailey spoke regarding the petition he submitted in opposition to the proposed increase in downtown parking lot rates. This petition was signed by approximately 400 people.

Manuel Gonzales of 2375 Hewlitt, Okemos, stated that he felt the parking increases could be spread more equitably.

John O'Malia, a member of Lansing 2000, spoke in support of the compromise parking increase resolution up for action this evening.

Iris Socolofsky, of the Lansing Regional Chamber of Commerce also spoke in support of the compromise resolution.

Ms. Carlson speaking on behalf of Hobie's Downtown stated that she felt turnover spaces should not be given more importance than regular monthly spaces.

SPECIAL CEREMONIES

There were no scheduled Special Ceremonies.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously, Councilmember Adado absent.

A. Letter from Donna Peiffer of 1112 Comfort Street regarding Assessment for Sidewalk Repairs

REFERRED TO THE CITY ATTORNEY & COMMITTEE ON GENERAL SERVICES

B. Church of the Resurrection
1531 E. Michigan Ave.
Lansing, MI 48912

Resolution #331

May 30, 1990
Pat Lindemann
2621 Tulane
Lansing, MI 48912

Dear Pat,

The Church of the Resurrection will be having its 56th Annual Ox Roast and Festival on the church grounds located at 1531 E.

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Michigan Ave. on September 7-9, 1990. The hours of the festival will be as follows:

Friday, September 7th—5:00pm-12:00 Midnight
Saturday, September 8th—12:00 Noon-12:00 Midnight
Sunday, September 9th—12:00 Noon-5:00PM

Due to the nature of this event we would like to request a permit for a variance from the City of Lansing's noise ordinance. We appreciate your assistance with this matter.

Very truly yours,
Fr. William J. Koenigsknecht
Pastor

Resolved by the City Council, City of Lansing, to set a public hearing for July 30, 1990, regarding a request for a permit for a variance to the City Noise Ordinance from Church of the Resurrection.

Motion by Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

REFERRED TO THE MAYOR

C. Letter from Patricia Wilson of Continental Cablevision of Michigan informing of a Rate Increase effective August 1, 1990

RECEIVED AND PLACED ON FILE

D. Letter from Dawn Flynn of the City of East Lansing regarding interconnecting East Lansing and Lansing Governmental Cable Channels

REFERRED TO COUNCIL STAFF

E. Letter from Eugene Migaldi of Midstate Resource Recovery Company informing of Availability of a Facility for Recycling

RECEIVED AND PLACED ON FILE

F. Letter from John Achterholf of 6337 Wealthy Lane, Zephyr Hills, Florida, thanking Councilmembers for the increase in Retiree Benefits for Retired Police Officers

RECEIVED AND PLACED ON FILE

G. Michigan Tax Tribunal Appeal received from Loomis, Ewert, Ederer, Parsley, Davis & Gotting on behalf of TR Associates of Carriage House

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

H. Petition submitted by Russell Greear, 1517½ Bailey, Containing 100 Signatures, in Opposition to the Proposed Increase in Parking Rates

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

I. Letters received in opposition to the Proposed Increase in Parking Rates from:

-Marilee Clark of 3271 W. Brewer Road, Owosso
-John Pool of 2495 Pine Tree Road, Holt

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

J. Application for Transfer of a Commercial Facilities Exemption Certificate from Altman Brothers Company to Thomas M. Cooley Law School

REFERRED TO THE MAYOR AND
THE COMMITTEE ON ECONOMIC DEVELOPMENT

K. Letter from Thomas Burchman of Wolverine Development Corporation regarding the Policy for sending out Billings on Sidewalk Repairs

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd commented on Mayor McKane's letter nos. C1, C2, C3 and C4 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

Resolution #332
June 18, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

WRECKER SERVICE: Jack's Automotive Center, Jerry Luoma
AUCTIONEER: William Z. Fox
SIGN ERECTOR: Mid-Michigan Stamps & Signs
PEDDLERS LICENSE: William Sprunger, John W. Stailey, James Swider, Jack Marsh

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 11, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Letter from Kathe Rushford Carter, Department of Management and Budget, Commending the Lansing Fire Department for their Actions

RECEIVED AND PLACED ON FILE

2. **Resolution #333**
TO: Council President Lucile Belen and City Councilmembers

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FROM: Terry J. McKane, Mayor
DATE: June 13, 1990
SUBJ: Trash Violation Fee (V-21), $2,280.97

The attached trash violation/assessment fees are being submitted with my concurrence for your review and appropriate action.

Motion by Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously; Councilmember Adado absent

3. Request for Site Change—Kids Kamps

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. Golf Master Plans for Groesbeck and Waverly

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Barricade Report

RECEIVED AND PLACED ON FILE

6. Year End Budget Transfers and Carry Forwards

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

June 18, 1990
SLU-13-89
6000 Block
South Waverly Road

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a Special Land Use request by New Hope Church of God in Christ for property in the 6000 Block of South Waverly Road

REPORTS AS FOLLOWS:

That this Special Land Use be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

Adopted by the following vote:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

A8SENT: Adado

THE COMMITTEE ON PUBLIC SERVICES

TO WHOM WAS REFERRED the Downtown Mall Advisory Board Recommendation to Expand vending Sites

REPORTS AS FOLLOWS: The Committee voted 3-0 to deny the recommendation to add four additional vending sites to those currently established. The Committee felt that as three of the four sites recommended were to be located south of Michigan Avenue, they would be too close to the downtown restaurants located along South Washington Avenue. The fourth site was to be located on Washington just a few feet north on Michigan Avenue. Again, the concern was that this site was too close to established restaurants.

On a related matter, the Committee requests the Mall Advisory Board to compare the fee paid by the vendors to the special assessments paid by downtown businesses for the Mall Maintenance Program. The concern of the Committee is that the vendors pay their fair share for services provided through the Mall Maintenance Program.

SIGNED

BY COUNCILMEMBER LINDEMANN

That the report of the Committee be adopted.

Motion by Councilmember Lindemann:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

RESOLUTIONS

Resolution #334
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this Council has adopted several policy statements over the past three years requesting the Administration to explore mechanisms to contain General Fund costs without negative impacts on delivery of services; and

WHEREAS, since personnel costs comprise the largest single expenditure of the General Fund budget, the Council has expressed its willingness to consider new ideas that will produce a net decrease in the City's cost of maintaining a professional career workforce; and

WHEREAS, the Council also remains committed to dealing fairly and equitably with its employees; and

WHEREAS, the Finance Director has recommended an alternative retirement plan for non-bargaining unit full-time permanent employees in the form of an Internal Revenue Service-qualified Money Purchase Plan, and the Mayor has endorsed the recommendation for consideration by the Council; and

WHEREAS, the City's actuarial firm has fully evaluated the proposed plan and determined it to be a prudent plan which will provide a reasonable retirement benefit plan for future employees while providing an early retirement option and the option of voluntary transfer to the new plan for current non-bargaining unit employees, without in any way jeopardizing the benefits of current employees or retirees or the financial stability of the existing Employees Retirement System (ERS); and

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WHEREAS, the alternative retirement plan is designed to stabilize and make more predictable future benefit costs, according to the Finance Director;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the Finance Director and the Mayor to create an alternative retirement plan covering non-bargaining unit full-time permanent employees of the City, containing the following provisions:

1. That all full-time non-bargaining unit employees and officials of the City of Lansing hired September 1, 1990, and thereafter be covered by a defined contribution retirement plan which provides for an employee-directed money purchase plan to which the City shall contribute an amount equal to five percent (5%) of the employee's wages plus one percent (1%) to a separate account for post-retirement health care, and which provides a long-term disability insurance policy costing up to one percent (1%) of covered payroll. Said new hires shall not be members of the Employee Retirement System, but shall have instead full rights in the new "Retirement Plan" and shall be considered vested as to the employer contribution after three (3) years credited service in the Plan. Employees in this Plan may contribute up to five percent (5%) of their wages as a voluntary additional contribution to their account;

2. That the City hereby offer the option to current non-bargaining unit employees to withdraw the funded present value of their accrued benefits in the ERS (as determined by the Actuary) and transfer said funds into, and become a member of, the new "Retirement Plan". This shall be a one-time option to switch and shall be available from September 1, 1990, to March 1, 1991. Current employees electing this option shall retain also their rights to post-retirement health and life insurance as provided to members of the ERS;

3. That the City hereby offer a continuing early retirement option to current non-bargaining unit members of the ERS pursuant to the same eligibility requirements that were established for early retirement in 1988; and

BE IT FURTHER RESOLVED the Finance Director is hereby authorized to solicit proposals within the confines of the above-specified criteria for the alternative retirement plan; and

BE IT FINALLY RESOLVED the City Attorney is hereby directed to work with the Finance Director to prepare such ordinance amendments and other appropriate documents to establish and implement the alternative retirement plan as specified above.

By Councilmember Benavides:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

Resolution #335
BY COMMITTEE ON WAYS AND MEANS
6-18-90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

1)
$1,180.00 from General Fund-Fund Balance
A/C 101-000000-390001-00000
1,180.00 to Planning & Municipal Development—
Control Account A/C 101-172601-992200-00000
(Unexpended balance of Gannet Foundation Grant which was not requested to be carried forward at 6-30-89 through oversight (Memo account 101-172620-743000-0).

2)
$10,000.00 from Reserve for Cont.-Ctl. Acct.
A/C 101-173901-992200-13055
10,000.00 to Admin. Ser. Bgt.-Ctl. Acct.
A/C 101-173101-992200-00000
(Purchase of two IBM Personal Computer, printers and software for Accounting Division. (To memo accounts 101-173130-743000-0($1,500) and 101-173130-977000-0 ($8,500).

3)
$4,400.00 from Forf.-Est. Rev. A/C 265-000000-170001-00000
4,400.00 to Forf.-Bgt. Ctl. A/C 265-343253-992200-00000
(Extension of vehic1e leasing for April-May June 1990, and final modifications to complete Criminal Intelligence Office renovation project. (265-343254-741000-0 $3,000) (265-343254-977000-0 $1,400)

The Balance in the Reserve for Contingency Fund after this transfer is $356,175.00

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #336
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Carl D. Ackley (a single man), 505 Raeburn, Eaton Rapids, Mi, has granted an easement to the City of Lansing for the construction and maintenance of a Sanitary Sewer in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

Lot 4 except the Northwesterly 250 feet of Creyt's Subdivision, Section 5, T3N, R2W. Permanent Easement:The Easterly 15 feet of Lot 4, Creyt's Subdivision, parallel and adjacent to Logan St./Martin Luther King Blvd./M-99.

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #590-453670-973000-20100. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

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Carried unanimously; Councilmember Adado absent

Resolution #337
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Capitol Federal Savings Bank, a Federally Charted Association, 112 E. Allegan St., Lansing, MI, has granted an easement to the City of Lansing for the construction and maintenance of a Sanitary Sewer in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

Commencing at the Southeast corner of Lot 9; thence Northeasterly 169.35 feet on the Easterly lot line; thence West to a point 50 feet Northwesterly and at right angles to the centerline of Highway M-99 for a point of beginning; thence West parallel to the North lot line 159.35 feet; thence North 65.3 feet; thence East to the Westerly right of way line of M-99; thence Southwesterly to beginning, plat of Creyts Subdivision, City of Lansing, Ingham County, Michigan, the South 12 feet thereof being subject to a driveway easement for the premises to the West. Permanent Easement: The easterly 20 feet of the above described property parallel and adjacent to Logan St./Martin Luther King Blvd. (M-99)

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #590-453670-973000—20100. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #338
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Greater Zion Church of God in Christ, a Michigan religious corporation, 1120 N. Pennsylvania Ave., Lansing, MI, has granted an easement to the City of Lansing for the construction and maintenance of a Sanitary Sewer in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

Located in Section 5, T3N, R2W. Lot 4 except the Northerly 250 feet of Creyt's Subdivision. Permanent Easements: The Easterly 15 feet of Lot 4, Creyt's Subdivision, parallel and adjacent to Logan St./Martin Luther King Blvd. (M-99)

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #590453670-973000-20100. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #339
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Alexandra A. Townsend (A Single Woman) and Cecilia R. Benfield (A Single Woman), 4217 Shoals Drive, Okemos, MI, has granted an easement to the City of Lansing for the construction and maintenance of a Sanitary Sewer in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

Part of Lot 6 Creyt's Subdivision, Section 5, T3N, R2W, described thus: Beginning at the intersection of the Southeast corner of Lot 6 and the Westerly line of Logan St. (M-99), thence Northwesterly along the Southerly line of Lot 6, 650 feet, thence Northeasterly 325 feet +/- to the intersection of the Northerly line of Lot 6, thence Southeasterly 550 feet +/- to the intersection of the Westerly line of Logan St./Martin Luther King Blvd. (M-99), thence Southwesterly 254.1 feet +/- to the point of beginning. Permanent Easement: The Easterly 10 feet of the above described property parallel and adjacent to Logan St./Martin Luther King Blvd. (M-99).

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #590-453670-973000-20100. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution # 340
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Roy C. Markey & Betty R. Markey (Husband & Wife) 2100 Depot St, Holt, MI, has granted an easement to the City of Lansing for the construction and maintenance of a Sanitary Sewer in and across the following described land:

PERMANENT EASEMENT DESCRIPTIONS:

Located in Section 5, T3N, R2W.

PARCEL A: Lot 5 except the Northwesterly 250 feet of Creyt's Subdivision.

PARCEL B: Commencing 149.5 feet Southwesterly of the NE corner of Lot 10 of Creyt's Subdivision, on the Westerly right of way line at M-99 (Logan St./Martin Luther King Blvd.); thence West 227.35 feet, South 48.7 feet, East 220.5 feet +/- to the Westerly line of M-99 (Logan St./Martin Luther King Blvd.), thence Northeasterly to the point of beginning.

PARCEL C: Commencing at the Northeast corner of Lot 10 Creyt's Subdivision, (located on the Westerly right of way line of M-99 (Logan St./Martin Luter King Blvd.)), Southwesterly along said right

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of way line 149.5 feet to a point of beginning; thence , West 227.35 feet, South 48.7 feet, East 220 feet +/- to the said Westerly right of way of line of M-99 (Logan St./Martin Luther King Blvd.); thence Northeasterly 58 feet to the point of beginning.

Permanent Easements:

PARCEL A: The Easterly 15 feet of Lot 5, Creyt's Subdivision, parallel and adjacent to the Westerly right of way line of M-99 (Logan St./Martin Luther King Blvd.)

PARCELS B & C: The Easterly 20 feet of the above described Parcels " B & C" on Lot 10 Creyt's Subdivision, parallel and adjacent to the Westerly right of way line of M-99 (Logan St./Martin Luther King Blvd.)

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #590-453670-973000-20100. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #341
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, by Easement Grant, Charles D. Randall and Sally J. Randall (husband & wife), 3724 S. Waverly, Lansing, MI, has granted an easement to the City of Lansing for the construction and maintenance of a Sanitary Sewer in and across the following described land:

PERMANENT EASEMENT DESCRIPTION:

Part of Lot 3 Creyt's Subdivision, Section DI 5, T3N, R2W, described thus: Beginning at the Easterly corner of lot 3 on the Westerly ROW line of M-99 (Logan St./Martin Luther King Blvd.), thence Northwesterly along the North line of lot 3, 200 feet, Southwesterly 100 feet, Southeasterly 200 feet to the intersection of Logan St./Martin Luther King Blvd., thence Northeasterly 100 feet +/- to the point of beginning. Permanent Easement: A parcel of land described as beginning at the Easterly corner of said lot 3, Creyt's Subdivision, thence Northwesterly 15 feet, thence Southwesterly 15 feet, thence Southeasterly 15 feet, thence Northeasterly 15 feet, to the point of beginning.

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of $1.00 for said easement in account #590-453670-973000-20100. Charles S. Remenar, Deputy City Controller

NOW THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #342
PUBLIC IMPROVEMENT II

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the City Council of the City of Lansing, that the plans and specifications returned by the Department of Public Service known as the 1990 Curb & Gutter Contract, PS 64119, in pursuance of the following resolutions of this council:

Resolution Date 5/8/89
Curb & Gutter
Storm Sewer

PROPERTY BENEFITED: All lands fronting on Richard Road from Sawyer Rd. to Edgewood Blvd.
Fielding Drive from Wainwright Ave. to Ingham St.
Ballard Street from Risdale St.to Fielding Dr.
Whyte Street from Illinois Ave. to Indiana Ave.

Resolution Dated 5/29/90
Curb & Gutter
Storm Sewer

PROPERTY BENEFITED: All lands fronting on S. Cedar Street from Robert St. to Cavanaugh Rd.
excepting all public streets, alleys, and other lands deemed not benefited,

be received, approved, and placed on file.

The Engineer's estimated cost of said improvements are as follows:

ROLL #320	CITY SHARE	ASSESSED SHARE	TOTAL
Storm Sewer	$ 32,521.89	$13,953.64	$ 46,475.53
Curb & Gutter	22,467.60	64,547.61	87,015.21
Road Const.	123,856.26	123,856.26	
TOTALS	$178,845.75	$78,501.25	$257,347.00

City Share Storm ..... $ 32,521.89
Acct. No. 401 933615 973000 41413 (FY90-91)
Other City Costs $146,323.86
Acct. No. 203 933601 974100 12005 (FY90-91)
Assessed Share ..... $ 78,501.25
Assessment Roll Account

THAT the Finance Director be directed to advertise and let for bid the specifications for said project as submitted by the Department of Public Service.

THAT the City Assessor be, and is directed to make special assessment installation rolls based upon bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

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Resolution #343
PUBLIC IMPROVEMENT II

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council dated June 19, 1989,

PROPERTY BENEFITED
CURB AND GUTTER:
All lands fronting on Cavanaugh Road from Lowcroft to Stabler Road excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED
SIDEWALK:
All lands fronting on Cavanaugh Road from 125 feet west of Lowcroft Road to 371 feet west of Stabler Road on the north side of Cavanaugh and from Lowcroft Road to 359.08 feet west of Stabler Road on the south side of Cavanaugh Road excepting all public streets alleys and other land deemed not benefited.

be received, approved and placed on file.

WHEREAS, for the construction, maintenance, inspection, repair and replacement of this public facility, permanent and temporary easements are required.

RESOLVED by the City Council, that the Department of Public Service is Authorized to acquire permanent and temporary easements, and furnish said documents to Council for their acceptance.

The Engineer's estimated expense of said improvements are as follows:

ASSESSMENT ROLL NO. 321

	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	99,556.70	39,153.84
SIDEWALK	37,395.75	45,782.70
STORM SEWER	22,967.80	0.00
OTHER COSTS	622,121.38	0.00
TOTAL COSTS	782,041.63	84,936.54

Project to be part of the Cavanaugh Road Reconstruction project, P.S. #66045.

City Share of Storm Sewer ..... $ 22,967.80
Acct. No. 401 933615 973000 41413 (FY 90-91)
City Share of C&G 99,556.70
Acct. No. 403 933601 974100 42540
City Share of Other Costs 143,443.30
Acct. No. 403 933601 974100 42540
F.A.U.S. Share of Costs 211,330.91
MDOT Grant Fund Reimburse

ACT 51 Major Street 219,806.38
Acct. No. 202 933601 974100 12000 (FY 90-91)
Assessment Roll #321 ..... 84,936.54
Assessment Roll Account

That the Finance Director be authorized to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is authorized, to make special assessment installation rolls, based upon the bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #344
COMMITTEE ON PHYSICAL DEVELOPMENT

June 15, 1990
SLU-13-89
Vacant Parcels on the East Side of the
6000 Block of South Waverly Road

WHEREAS the applicant, the New Hope Church of God in Christ, has requested a Special Land Use permit to construct a new church with a seating capacity of approximately 220 persons and parking as required by the Zoning Code on a three (3) acre parcel of vacant land located on the east side of the 6000 block of South Waverly Road, on property more particularly described as:

The North 273 Ft. of Lot 1 Coachlight Estates Subdivision, City of Lansing, Ingham County, Michigan

and;

WHEREAS the Lansing City Council, at their meeting of October 23, 1989, expressed their intent to approve this Special Land Use for the New Hope Church of God in Christ subject to completion and approval by the Fire Marshal, Planning, and Building Safety Divisions of all code requirements, and

WHEREAS, the Planning Division has been advised that the conditions of approval have been met and minimum requirements of the site development have been completed, and

WHEREAS the Physical Development Committee has been advised of the completion of all the requirements and are recommending to the City Council that a Special Land Use be issued for the property,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council gives final approval to the Special Land Use for the New Hope Church of God in Christ, located in the 6000 Block of South Waverly Road.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #345
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing City Council approved the sale of

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homestead property, 810 Cross Street to Arthur J. Gilmore; and

WHEREAS, Arthur Gilmore decided he was no longer interested in the homesteading program; and

WHEREAS, one of the alternates selected for the property was still interested in homesteading; and

WHEREAS, the City Charter of the City of Lansing requires City Council approval of all sales of City property;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing authorizes the Mayor and City to execute the sale of agreement with Shawn Husband; and

BE IT FURTHER RESOLVED that the City Council authorizes the sale of 810 Cross Street to Shawn Husband, subject to the terms and conditions of Said Agreement and the City of Lansing's Urban Homesteading Procedures and that the name of Arthur J. Gilmore be withdrawn as homesteader for 810 Cross Street.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Councilmember Ford presented a substitute for the resolution on the increase in parking rates presented by the Committee on Public Services.

Motion by Councilmember Ford:

To substitute his resolution for the one submitted by the Committee on Public Services.

YEAS: Benavides, Ford

NAYS: Belen, Crawford, Lindemann, Schmidt, Worthington

ABSENT: Adado

Motion by Councilmember Worthington:

To substitute his resolution for the one submitted by the Committee on Public Services.

YEAS: Belen, Benavides, Crawford, Lindemann, Schmidt, Worthington

NAYS: Ford

ABSENT: Adado

Motion by Councilmember Benavides:

To amend the substitute resolution by changing rates in some lots.

YEAS: Benavides, Ford

NAYS: Belen, Crawford, Lindemann, Schmidt, Worthington

ABSENT: Adado

The vote proceeded on the substitute resolution presented by Councilmember Worthington.

Resolution #346
BY THE PUBLIC SERVICES COMMITTEE

WHEREAS, the expansion of the Lansing Municipal Parking System, including the issuance of 32 million dollars of bonded indebtedness, has necessitated revised rates for FY91; and

WHEREAS, the Traffic Board and Administration have recommended parking rate changes for the Lansing Municipal Parking System; and

WHEREAS, the Public Services Committee has reviewed and amended the proposed parking rates for FY91; and

WHEREAS, the Public Services Committee recommends approval of the parking rates as amended by the Committee;

NOW, THEREFORE BE IT RESOLVED, the Lansing Municipal Parking System will accept up to a maximum of ten dollars ($10.00) of tokens for payment of parking fines; and

BE IT FURTHER RESOLVED, that the Lansing City Council hereby reaffirms the October 23, 1989 policy pertaining to changes to the parking requirements for new buildings in the G-1 business district and requests that the Planning Board prepare a recommendation for the Council's consideration at its earliest possible convenience; and

BE IT FINALLY RESOLVED, the Lansing City Council hereby approves the following FY91 parking rates for the Lansing Municipal Parking System:

MONTHLY PARKING RATES

Location	Type of Parking	Rate (FY91)
South Grand	Reserved	$75.00
South Grand	Covered	$68.00
South Grand	Roof	$50.00
South Capitol	Reserved	$75.00
South Capitol	Covered	$64.00
South Capitol	Roof	$46.00
North Grand	Reserved	$75.00
North Grand	Reserved-White Area	$70.00
North Grand	Covered	$56.00
North Grand	Roof	$46.00
North Capitol	Reserved	$75.00
North Capitol	Covered	$54.00
North Capitol	Roof	$40.00
Lot #2	Surface	$50.00
Lot #6	Surface	$40.00
Lot # 15	Surface	$30.00
Lot # 37	Surface	$30.00
Lot # 41	Surface	$54.00

PARKING METER RATES

Location	Rate (FY91)
Token Area	$0.60
Core Area	0.50
Fringe Area	0.40
Outlying Area	$0.25

except for the 100-400 blocks of South Washington Square which will remain $0.50 per hour for one additional year

PARKING LOT RATES

Location	Rate (FY91)
Civ. Arena Hourly	$0.35
Civ. Arena Maximum	$2.50
Lan. Cen. Entry Fee	$2.00

By Councilmember Lindemann:

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That this resolution be considered as read in its entirety.

Carried unanimously; Councilmember Adado absent

By Councilmember Worthington:

To substitute this resolution for the one submitted by the Committee on Public Services

YEAS: Belen, Crawford, Lindemann, Schmidt and Worthington

NAYS: Benavides, Ford

ABSENT: Adado

By Councilmember Lindemann:

To adopt the substitute resolution

YEAS: Belen, Crawford, Lindemann, Schmidt and Worthington

NAYS: Benavides, Ford

ABSENT: Adado

Resolution # 347
BY THE COMMITTEE ON PUBLIC SERVICES

WHEREAS, Act No. 641 of the Public Acts of 1978 require the preparation of a County-wide Solid Waste Management Plan; and,

WHEREAS, A duly advertised Public Hearing for the Ingham County Solid Waste Management Plan was held on October 26, 1989; and,

WHEREAS, Comments were received at the Public Hearing, and changes were made to the Plan before it was approved by the Solid Waste Planning Committee and the Ingham County Board of Commissioners; and,

WHEREAS, additional changes to the Plan were made by the Planning Committee at the request of the Board of Commissioners, and by the Board of Commissioners themselves; and,

WHEREAS, Section 28 of Act 641, as amended, requires that sixty seven percent (67%) of all local governing jurisdictions located within Ingham County approve the County Solid Waste Management Plan prior to submission to the State.

NOW, THEREFORE BE IT RESOLVED, That the Lansing City Council hereby approves the Ingham County Solid Waste Management Plan dated May, 1990, as submitted; and,

BE IT FURTHER RESOLVED, That a certified copy of this resolution be sent to the Tri-County Regional Planning Commission, 913 W. Holmes Rd., Suite 201, Lansing, MI 48910.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #348
BY THE COMMITTEE ON PUBLIC SERVICES

WHEREAS, Act No. 641 of the Public Acts of 1978 require the preparation of a County-wide Solid Waste Management Plan; and,

WHEREAS, A duly advertised Public Hearing for the Eaton County Solid Waste Management Plan was held on October 5, 1989; and,

WHEREAS, Comments made at the Public Hearing were reviewed before the plan was approved by the Solid Waste Management Committee and the Eaton County Board of Commissioners; and,

WHEREAS, Section 28 of Act 641, as amended, requires that sixty seven percent (67%) of all local governing jurisdictions located within Eaton County approve the County Solid Waste Management Plan prior to submission to the State.

NOW, THEREFORE BE IT RESOLVED, That the Lansing City Council hereby approves the Eaton County Solid Waste Management Plan dated March, 1990, as submitted; and,

BE IT FURTHER RESOLVED, That is hereby designated to represent the City Of Lansing on solid waste issues.

BE IT FINALLY RESOLVED, That a certified copy of this resolution be sent to the Eaton County Planning Department, 1045 Independence Boulevard, Charlotte, Michigan, 48813.

By Councilmember Lindemann:

Amend resolution to add
That the Mayor or his designee appoint a member

Carried unanimously; Councilmember Adado absent

By Councilmember Lindemann:

To adopt amended resolution

Carried unanimously; Councilmember Adado absent

Resolution #349
RESOLUTION BY PUBLIC SERVICES COMMITTEE WHEREAS, the State of Michigan has adopted a Solid Waste Policy Implementation Plan which calls for a 70 percent reduction in landfilling of solid waste before the year 2005; and

WHEREAS, the plan also stresses the importance of cooperation between the business community, local governments, and the general public in achieving accomplishments in the area of solid waste reduction; and

WHEREAS, Ingham County, by mandate of P.A. 641 of 1978, is responsible for management of solid waste generated within the County; and

WHEREAS, Ingham County and local communities are supporting the County's development of local drop-off programs for the collection of materials and other communities are planning to implement curbside collection programs; and

WHEREAS, Ingham County has prepared a Solid Waste Recycling Industrial Development Policy to assist in the development of businesses which use or manufacture recyclable materials; and

WHEREAS, implementation of such a Policy will encourage business development and job creation, in addition to providing local outlets for materials collected from collection programs so products can be produced and sold.

THEREFORE, BE IT RESOLVED the City of Lansing supports the proposed Ingham County Solid Waste Recycling Industrial Development Policy as a means of securing the growth and success of recycling activities throughout the County by collection, remanufacturing, and sale of goods made from solid

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wastes; and

BE IT FURTHER RESOLVED, the City of Lansing will work in cooperation with Ingham County to ensure the successful implementation of the proposed policy by working with industry, collection programs, and providing financial assistance for future programs; and

BE IT FURTHER RESOLVED that the Clerk will send copies of this resolution to the Ingham County Board of Commissioners.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #350
PUBLIC IMPROVEMENT IV

RESOLVED, by the City Council of the City of Lansing:

That the supplementary special assessment rolls M9001, M9002, and M9003 for maintenance districts and assessments as follows:

DISTRICT M9001
Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

Mall Estimated Cost: $48,488
Side Street Estimated Cost: $68,172

DISTRICT M9002
Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

Estimated Cost: $31,074

DISTRICT M9003
Beginning at the intersection of S. Townsend Street and W. Allegan Street, E. on Allegan (S. side only) to Capitol Avenue, S. on Capitol Avenue (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to Townsend Street, N. on Townsend (E. side only) to point of beginning; also Washtenaw Street east and west (both sides) from Townsend Street to Capitol Avenue.

Estimated Cost: $8,170

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix wtihin ten days, his warrant directing the City Treasurer to collect said tax on or before the 30th day of October, 1990.

By Councilmember Schmidt:

YEAS: Belen, Benavides, Crawford, Ford, Schmidt, Worthington

NAYS: Lindemann

ABSENT: Adado

Resolution #351
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Association of Community and Adult Education has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes Michigan Association of Community and Adult Education as a non-profit organization.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #352
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Employees Club of Board of Water and Light has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes Employees Club of Board of Water and Light as a non-profit organization.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.2 of the code for property located at:

Z-8-90
215-219 West Lapeer Street to be rezoned from 'DM-3' Residential District to 'D-1' Professional Office District

was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

Resolution #353
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday July 9, 1990 at 7:00 P.M. in the Tenth

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Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-8-90
215-219 West Lapeer Street to be rezoned from 'DM-3' Residential District to 'D-1' Professional Office District.

By Councilmember Worthington:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Lindemann:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 6 Section 9.3.5 for the purpose of incrreasing fines for certain parking violations be placed on order of immediate passage.

BY COUNCILMEMBER Lindemann:

That this be considered as being read in its entirety.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

BY COUNCILMEMBER Lindemann:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 6 Section 9.3.5 for the purpose of incrreasing fines for certain parking violations be now passed.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

ORDINANCE NO. 817

AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING SECTION 9.3.5 FOR THE PURPOSE OF INCREASING FINES FOR CERTAIN PARKING VIOLATIONS.

The City of Lansing ordains:

Section 1. Section 9.3.5 of the Lansing Code of Ordinances is amended to read as follows:

Sec. 9.3.5 Fines for parking violations.

(a) Subject to subsections (b) and (c) hereof, fines for the following parking violations shall be as set forth herein:

Violation	Fine If Paid Within 14 Days	Fine If Paid After 14 Days But Within 28 Days	Fine If Paid After 28 Days But Within 42 Days
Meter violation	$10.00	$12.00	15.00
Time limit violation	12.00	14.00	17.00
Handicap parking zone	75.00	85.00	100.00
No parking zone	12.00	14.00	17.00
No stopping, standing or parking	20.00	22.00	25.00
No parking 2:00 a.m. to 5:00 a.m.	7.00	9.00	12.00
Improper parking	12.00	14.00	17.00
Permit parking area	15.00	17.00	20.00
Private parking area	10.00	12.00	15.00
No parking in alley	12.00	14.00	17.00
Blocking drive or sidewalk	20.00	22.00	25.00
Blocking traffic lane/traffic hazard	20.00	22.00	25.00
Special parking district	25.00	27.00	30.00
Failure to pay prescribed fee	10.00	12.00	15.00
Fire lane	25.00	27.00	30.00
All other violations	12.00	14.00	17.00

(b) Any person paying a meter violation in person at the Violations Burea shall pay a one dollar ($1.00) fine if paid within the first hour after the ticket was issued, a four dollar ($4.00) Fine if paid between the first and second hour after the ticket was issued, a seven dollar ($7.00) fine if paid between the second and third hour after the ticket was issued, provided that after the third hour all met violations shall carry a ten dollar ($10.00) fine. Payment time may overlap into the next business day.

(c) Failure to pay the prescribed fee in an attended parking facility shall carry a ten dollar ($10.00) fine, plus the unpaid parking fee.

(d) Any person who violates any of the provisions set forth in subsection (a) hereof and who fails to pay a fine therefor as set forth in such subsection, within forty-two days from the date of issuance of the ticket or citation, shall be responsible for a civil infraction punishable as provided by law.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Resolution #354

BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Charter requires the City Council to designate the External Auditor for the Board of Water and Light; and

WHEREAS, both the Board of Water and Light and the City of Lansing Audit Committee have recommended that the firm of Deloitte-Touche conduct the Board of Water and Light audit for the Fiscal Year ending June 30, 1990,

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby designates the Firm of Deloitte-Touche for the purpose of conducting the Board of Water and Light's annual audit for the Fiscal Year June 30, 1990.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #355

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing native, Richard D. Letts, was a graduate from Lansing Central High in 1941, being active in various hobbies, and receiving awards in boxing during his active college years. He served in the United States Army for two years and later attended Michigan State University, and graduated from West Virginia State College, Institute; and

WHEREAS, he married his wife, Olivia, in 1951, and had one

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daughter, Eileen; and

WHEREAS, In July, 1965, he became employed with the City of Lansing as Director of the Human Relations Department. He was then granted the additional titles of Equal Opportunity Officer in 1972 and appointed the Affirmative Action Officer in 1984; and

WHEREAS, Mr. Letts served on numerous Boards and Committees throughout the Lansing area, providing many hours of community service, dedicating his time to the citizens of Lansing; and

WHEREAS, he has received outstanding awards and special recognition during his tenor with the City of Lansing, whereby creating a special pride for the City, on his achievements and successes;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session, hereby commends Mr. Richard Letts for his paramount achievements and splendid service for the City of Lansing; and

BE IT FURTHER RESOLVED the Lansing City Council congratulates him for receiving tribute in your honor and wishes you many successful and joyous years, and thanks you for your dedication to Lansing.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

CONSIDERATION OF LATE ITEMS

1/ Resolution honoring Richard Letts, Director, Human Relations Department

(Handled as Resolution # 355)

2/ Letter from Julia Keefer of 3618 Lowcroft Avenue regarding condition of house at 3623 Lowcroft Avenue

REFERRED TO JAMES KZESKI AND
THE LANSING POLICE DEPARTMENT

3/ Resolution recommending the firm of Deloitte-Touche for the audit of the Board of Water and Light Fiscal Year ending June 30, 1990
(Handled as Resolution # 354)

4/ Two letters received concerning the parking rate increase at Parking Lot # 6 (from Martha Ballou and Willa Swartz)

RECEIVED AND PLACED ON FILE

5/ Letter from Kevin and Renee Berry protesting Sidwalk Repair Assessment, PS #25063, Special Assessment Roll No. B-32

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

MOTION OF EXCUSED ABSENCE

Councilmember Benavides moved that Councilmember Adado be excused from this evening's Council meeting.

Carried unanimously.

PUBLIC COMMENTS

Muhammed Frank Curtis stated that his mother is in the hospital. He also stated that Councilmembers should be careful about raising taxes as there might be a rebellion by the citizens.

Russell Greear of 1517-½ Bailey stated that something should be done about CATA drivers abusing passengers. Council President Belen stated that she has received numerous communications regarding the good service provided by CATA but that inquiries would be made if Mr. Greear submitted his complaint in writing to the Council.

Andrew Anthos of 216 N. Holmes Street suggested several locations in Downtown Lansing where new parking structures could be built. Council President Belen responded that several of the locations he mentioned are already under consideration.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd had no comments.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann requested that the building located at 248 Alvan Court be checked for possible building code violations.

Councilmember Schmidt stated that the grass at the intersection of South Pennsylvania Avenue and I-496 is so tall a car cannot be seen approaching.

Councilmember Benavides mentioned that there will be a meeting on June 19, 1990 at 7:00 P.M. at Scott House, 124 W. Main Street, regarding August primary ballot proposal #1 to levy a one mill increase for operation of Parks and Recreation System.

Councilmember Ford expressed congratulations to the Lansing Neighborhood Association for the success they had with Paint Blitz '90 this past weekend.

COUNCIL PRESIDENT BELEN:

Council adjourned at 10:35 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 25, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
June 25, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

Motion by Councilmember Schmidt:

To approve the minutes of Council proceedings of June 11, 1990.

Carried unanimously; Councilmember Adado absent.

Motion by Councilmember Benavides:

To accept the following under suspension of the rules:

1/ A request for a waiver of the noise ordinance received from Bootleggers

2/ A letter received from Carol Boss of 3011 and 3015 N. Cedar Street protesting Assessment Roll # 317

3/ A letter from Lt. Governor Martha Griffins regarding a complaint received from Donald Frost

4/ Michigan Tax Tribunal Appeal on behalf of Louis and George Eyde

Carried unanimously; Councilmember Adado absent.

SCHEDULED PUBLIC HEARINGS

A. June 25, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding the make-safe or demolish for property located at 1122 W. Allegan Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed action, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. June 25, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding the make-safe or demolish for property located at 3208 Creston Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed action, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. June 25, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding the make-safe or demolish for property located at 713 Randall Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed action, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. June 25, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as a time for a public hearing regarding the make-safe or demolish for property located at 1507 Sheldon Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed action, they would have the privilege of speaking at this time.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

There were no public comments on items up for action.

SPECIAL CEREMONIES

Priscilla Holmes and Mary James discussed the successful Paint Blitz '90 project. They introduced some of the teams who participated in this event.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the appropriate referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. SLU-8-90 Petition for Special Land Use for 1015-1017 N. Cedar for Open Storage

REFERRED TO THE MAYOR AND THE PLANNING BOARD

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B. Letter from James G. Feil of Ingham Intermediate School District regarding Holt Public Schools 1990 Summer Tax Certification

REFERRED TO THE MAYOR

C. Request for a Bond Replacement Resolution from Miller, Canfield, Paddock and Stone

REFERRED TO THE MAYOR AND COMMITTEE ON WAYS AND MEANS

D. Notice of the Issuance of a Permit by the Department of Natural Resources to the Board of Water & Light for Repair and Maintenance of the Moores Park Dam

REFERRED TO THE MAYOR

E. Michigan Tax Tribunal Appeal on behalf of Trumark, Inc. and Uptilt, Inc.

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

F. Letter from Daniel Morgan of the Department of Natural Resources informing of a request for a Permit to Construct a Dental Office Building over Waters of the Grand River

RECEIVED AND PLACED ON FILE

G. Letter from Mary Burkholder of 1530 Rosevelt opposing the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. Letter from a concerned citizen regarding alleged Improper Waste Disposal at Ken's Mt. Hope Rentals

RECEIVED AND PLACED ON FILE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd discussed Mayor McKane's letter #C1 regarding cancellation of specified Planning Board meetings.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #356
June 25, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

SECOND HAND DEALER: Dicker & Deal, Moose Creek AG & T, Music Manor, Nu-Look Thrift Store, Inc.

LIQUOR LICENSE TRANSFER: From Revco Discount Drugs To RDS Michigan, Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Lindemann:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

2. COUNCIL REFERRALS:

June 25, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear Councilmembers:

Attached herewith are applications returned unsigned from the Lansing Police Department for:

PUBLIC DRIVERS: Jeffrey Calvin Freeman, Under Section 872.23 (b) D

PEDDLERS & TRANSIENT MERCHANTS LICENSE: Michael L. Day

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

REFERRED TO THE CITY ATTORNEY

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 18, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Cancellation of Planning Board Meetings on July 3 and August 7, 1990

RECEIVED AND PLACED ON FILE

2. Barricade Report—Vivian Riddle & Eastside

RECEIVED AND PLACED ON FILE

3. LS-18-90—6200 Block of Rosedale Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. SLU-6-90—2125 Lyman Drive

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Z-12-90—2416 North East Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. Z-11-90—3113 North East Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Z-10-90A—1020 East Saginaw Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Z-2-90—1900 Block of North Larch Street and 1800 Block of Thompson Street

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REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #357
BY COMMITTEE ON WAYS AND MEANS 6/25/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

1)
$18,400.00 from Reserve for Contingency—Control Account
A/C 101-173901-992200-13055
18,400.00 to Pub. Ser. Admin. & Eng.—Wages—Survey & Plans
A/C 101 453603-992200-00000
(More storm sewer activity than anticipated with budget, and less chargeable activity to bonds. (Memo account 101-453603-706000-0)

2)
$1,000.00 from Est. Rev. A/C 101-000000-170001-00000
1,000.00 to Parks & Rec. Bgt. Ctl.
A/C 101-783860-992200-00000
(Donation from Michigan Amateur Recreation Volleyball Association toward construction of sand volleyball courts and Marshall Park to #101-783810-741295-0)

3)
$31,510.00 from Est. Rev. A/C 101-000000-170001-00000
31,510.00 to Cap. Imp. Prog.—Bgt. Ctl.
A/C 101-933901-992200-13001
(Ballfield team registration fees, per City Council resolution of Nov. 3, 1986. To Memo Account #101-933890-970000-13023.)

4)
$106,350.00 from Act 51(L) Fund Bal.
A/C 203-039001-000000-00000
106,350.00 to Pub. Ser. Act 51(L)
Ctl. Acct. A/C 203-453634-992200-00000
(Actual fringe rate as computed by Controller is higher than that included in budget estimates. Also, activity level higher than budgeted.)

5)
$46,700.00 from Pub. Ser. Act 51 (M)—Fund Bal.
A/C 202-000000-390001-00000
46,700.00 to Pub. Ser. Act 51(M)—Ctl. Acct.
A/C 202-453634 992200-00000
(Actual fringe rates per Controller higher than budget estimates.)

6)
$4,712.00 from Parks & Rec. Expendable Trust—Fund Bal.
A/C 713-000000-390001-00000
4,712.00 to Parks & Rec. Expendable Trust—Bgt. Ctl.
A/C 713-833890-992200-00000
(Replacement of fence fabric at Ranney Park backstop, base-lines, and handball court. To memo account #713-833890-970000-00000)

The Balance in the Reserve for Contingency Fund after this transfer is $337,775.00

Submitted by:
Jan Lazar, Dir. of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent.

Resolution #358
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 89-90 accounts be carried forward into the FY 90-91 department and project accounts, as established, in the amounts indicated:

CARRY FORWARDS

DEPARTMENT/ MEMO ACCOUNT NO.	ACCOUNT TITLE	CONTROL ACCOUNT	AMOUNT
GENERAL FUND			
City Council			
101-112110-746200-00000	Channel 28 - Repair and Maintenance	101-112101-992200-00000	Unencumbered Balance
101-112110-977000-00000	Channel 28 - Equipment	101-112101-992200-00000	Unencumbered Balance
Administrative Services			
101-173130-743000-00000	Data Processing - Contractual Services	101-173101-992200-00000	$5,000
101-173150-977003-00000	Central Garage - Spec. Vehicle Equip.	101-173101-992200-00000	Unencumbered Balance
101-173140-746300-00000	Building Maintenance - Project Maintenance	101-173101-992200-00000	16,027
101-173150-977000-00000	Central Garage - Equip.	101-173101-992200-00000	Unencumbered Balance
Parks and Recreation			
101-783810-741295-00000	Administration - Citizens Contributions	101-783860-992200-00000	Unencumbered Balance
101-783820-970000-00000	Field Services - Construction	101-783860-992200-00000	Unencumbered Balance
101-783811-977000-00000	Business Management - Equipment	101-783860-992200-00000	7,100
101-783820-977000-00000	Field Services - Equipment	101-783860-992200-00000	4,500
101-783830-977000-00000	Recreation - Equipment	101-783860-992200-00000	2,250
101-783835-977000-00000	Potter Zoo - Equipment	101-783860-992200-00000	2,026
101-783820-746000-00000	Field Services - Repair and Maintenance	101-783860-992200-00000	9,800
Police			
101-343201-741880-00000	Citizens Contributions	101-343201-992200-00000	Unencumbered Balance
Fire			
101-343501-741880-00000	Citizens Contributions	101-343501-992200-00000	Unencumbered Balance
Human Service Agencies			
101-833710-960120-00000	Discretionary Funds	101-833710-992200-00000	Unencumbered Balance
CIP			
101-933190-975000-13051	City Hall Roof Repair	101-933901-992200-13001	112,000
101-933890-971000-13009	Potter Park Complex	101-933901-992200-13001	Unencumbered Balance
101-933890-974000-13017	Basketball Courts	101-933901-992200-13001	Unencumbered Balance
101-933890-970000-13014	Southwest Park Impr.	101-933901-992200-13001	Unencumbered Balance
101-933890-970000-13061	South End Park Impr.	101-933901-992200-13001	Unencumbered Balance
101-933890-970000-13021	Park Acq. and Devel.	101-933901-992200-13001	Unencumbered Balance
101-933890-975000-13022	Turner Dodge Development	101-933901-992200-13001	Unencumbered Balance
101-933890-970000-13023	Ballfield Development	101-933901-992200-13001	Unencumbered Balance
101-933890-974000-13025	Cemetery Waterlines	101-933901-992200-13001	Unencumbered Balance

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DEPARTMENT/ MEMO ACCOUNT NO.	ACCOUNT TITLE	CONTROL ACCOUNT	AMOUNT
101-933890-975000-13044	City Market Impr.	101-933901-992200-13001	Unencumbered Balance
101-933890-970000-13062	Kendon Park Devel.	101-933901-992200-13001	Unencumbered Balance
101-933890-970000-13049	Oak Fuel System	101-933901-992200-13001	Unencumbered Balance
101-933890-975000-13052	Oak Park Improvements	101-933901-992200-13001	Unencumbered Balance
101-933890-974000-13053	Reutter Park Impr.	101-933901-992200-13001	Unencumbered Balance
101-933890-974000-13054	Turner Mini Park	101-933901-992200-13001	20,000
OTHER FUNDS			
Public Service - Parking			
585-453643-741200-00000	Admin. & General - Promotion	585-453642-992200-00000	15,000
585-453643-746000-00000	Maintenance - Repair and Maintenance	585-453642-992200-00000	12,000
585-453644-746100-00000	Ramp #1 - Bldg. Maint.	585-453642-992200-00000	12,000
585-453645-746100-00000	Ramp #2 - Bldg. Maint.	585-453642-992200-00000	12,000
585-453646-746100-00000	Ramp #3 - Bldg. Maint.	585-453642-992200-00000	12,000
585-453647-746100-00000	Ramp #4 - Bldg. Maint.	585-453642-992200-00000	32,000
585-453643-977000-00000	Maintenance - Equipment	585-453642-992200-00000	Unencumbered Balance
585-453644-746101-00000	Ramp #1 - Major Maint.	585-453642-992200-00000	Unencumbered Balance
585-453645-746101-00000	Ramp #2 - Major Maint.	585-453642-992200-00000	Unencumbered Balance
585-453646-746101-00000	Ramp #3 - Major Maint.	585-453642-992200-00000	Unencumbered Balance
585-453647-746101-00000	Ramp #4 - Major Maint.	585-453642-992200-00000	Unencumbered Balance
585-454200-992000-00000	Contingency - Major Ramp Maintenance	585-453642-992200-00000	Unencumbered Balance
Public Service - Wastewater			
590-453670-743000-00000	Admin. and General - Professional Services	590-453670-992200-00000	30,000
590-453670-975000-00000	Capital Improvements - Transformer Replacement	590-453670-992200-00000	399,000
Public Service - Service Garage			
640-453624-746100-00000	Building Maintenance	640-453623-992200-00000	35,000
Parks and Recreation - Golf			
584-783852-974000-00000	Red Cedar - Repair & Maint.	584-783850-992200-00000	Unencumbered Balance
Parks and Recreation - Cemetery			
516-173840-977000-00000	Administration - Equip.	516-173840-992200-00000	570
District Court			
760-132201-977000-00000	Equipment	760-132201-992200-00000	3,000

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent.

Resolution #359
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-7-79, at 333 S. Capitol Avenue and has issued a Commercial Facilities Exemption Certificate for a renovated facility at that site to Altman Brothers Co. on October22, 1979 to remain in effect for twelve years; and

WHEREAS, Thomas M. Cooley Law School has applied for the transfer of this Commercial Facilities Exemption Certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Thomas M. Cooley's application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on theproperty located within said Lansing Commercial Redevelopment District CRD-7-79; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, July 16, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent.

Resolution #360
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. James Reid, after receiving his teaching degree from Eastern Michigan University was hired by the Lansing School District in 1958 to teach Physics at Sexton High School; and

WHEREAS, he married Sue Wright in 1962, while both were teaching at Sexton High School, and has one daughter, Robyn, who graduated from Sexton High School and presently attends Kalamazoo College; and

WHEREAS, Mr. Reid was honored with numerous awards and was commemorated from many different associations for his service and dedication to the art of education; and

WHEREAS, after extending his excellent teaching qualities and receiving gratification from his former students and seeing them graduate and become successful engineers, entrepreneurs, mayors, judges and research scientists, Mr. Reid has made the decision to retire from his most dedicated service; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session, hereby commends Mr. James Reid for his superiority and dedication to this community; and

BE IT FURTHER RESOLVED, the Lansing City Council wishes him and his family many joyous retirement years as he righteously deserves.

By Councilmember Ford:

Carried unanimously; Councilmember Adado absent.

Resolution #361
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, WILLIAM ALBERT SEDERBURG has served in the Michigan Legislature as the Senator representing the 24th District since January 1979; and

WHEREAS, Bill Sederburg's outstanding representation of Lansing and the rest of his Senate district has been demonstrated time and again through his constant devotion to constituent concerns, for which he established his computer bulletin board system called "Political Forum", and his leadership as chair of the Higher Education and Technology Committee, the Health Policy Committee, and the Subcommittees on Higher Education and General Government of the Senate Appropriations Committee, while also chairing the Michigan Capitol Committee, which planned and oversaw the magnificent restoration of the Capitol Building; and

WHEREAS, Bill's personal efforts have produced direct benefits to the Lansing community in the form of annual grants to the City from the outstate equity legislation, development of high technology

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jobs at MBI and the MSU Research Park, expansion of the Potter Park Zoo, the River Trail, and Impression 5 Museum, the Reutter Park Fountain restoration, the Approach to the Capitol project, planting of additional trees in the downtown area, and increased allocations to Lansing's institutions of higher education; and

WHEREAS, Bill's major successes include passage into law of his legislation restricting smoking in public places as well as a series of Mindpower conferences on higher education issues;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, on behalf of the Citizens of Lansing, expresses its appreciation to WILLIAM ALBERT SEDERBURG for his outstanding service as our State Senator from 1979 through 1990; and

BE IT FURTHER RESOLVED the Council wishes Bill happiness and good health as he returns to private life, now that he'll have time to spend with his wife Joyce, son Matthew, daughter Kari, and more time for tennis matches and rounds of golf.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent.

Resolution #362
BY COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during the fiscal year 1990-91 budget deliberations, the Lansing City Council approved Washington Park as a site to locate an additional neighborhood Kids Kamp program; and

WHEREAS, subsequent analysis of this site by the Parks Department has revealed that the Washington Park site will partially overlap the Mount Hope School site, thereby decreasing projected attendance at both sites; and

WHEREAS, the Parks Department has recommended utilizing Walsh Park as an alternative to Washington Park; and

WHEREAS, the Mayor concurs with the Parks Department recommendation,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves Walsh Park as the replacement site for the Kids Kamp program previously located at Washington Park.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent.

Resolution #363
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 906 N. Pine, legally described as:

South ½ of the west 90.5 feet of Lot 8, Block D, Subdivisions of Blocks 26 and 27, City of Lansing

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the hearing officers on November 30, 1989, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe: and

WHEREAS, said Hearing officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on, June 18, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution June 25, 1990: and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent.

Resolution #364
BY COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council has considered an ordinance revision for the purpose of creating a separate Recycling Advisory Board; and

WHEREAS, the Board of Public Service, currently charged with the function of overseeing refuse collection programs, has, instead, recommended to the City Council the creation of an Ad Hoc Recycling Committee; and

WHEREAS, the Recycling Committee would provide the necessary guidance to the Board of Pubic Service, Department of Public Service, Lansing City Council, and the Mayor, for developing and implementing a recycling program in cooperation with the consultant as retained by the State of Michigan for the Clean Michigan Communities grant; and

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WHEREAS, the Mayor concurs with this recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes a 10 person Ad Hoc Recycling Committee; and

BE IT FURTHER RESOLVED, that the Ad Hoc Recycling Committee shall be comprised of the following representatives:

1. Two members from the City Council.
2. One member from the Mayor's Office.
3. Three members from the Board of Public Service.
4. Four members appointed by the City Council President, two from the City At-Large; and two Recycling Advocates; and

BE IT FINALLY RESOLVED, that all members appointed by the Council President shall be Lansing residents.

By Councilmember Lindemann:

To amend by changing "By Committee on Public Services" to read. "By Committee of the Whole"

Carried unanimously; Councilmember Adado absent

By Councilmember Lindemann:

To adopt amended resolution

Carried unanimously; Councilmember Adado absent

Resolution #365
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Larry and Marsha Warren filed a claim against the City of Lansing; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee approved a motion to concur with the City Attorney's recommendation to deny the claim, and reported same to the claimant; and

WHEREAS, Mr. and Mrs. Warren appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and approved a motion to concur with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Larry and Marsha Warren; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent.

Resolution #366

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Aerial Aerins filed a claim against the City of Lansing; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee approved a motion to concur with the City Attorney's recommendation to deny the claim, and reported same to the claimant; and

WHEREAS, Mr. Aerins appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and approved a motion to concur with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Mr. Aerins; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

To amend resolution by changing the fourth paragraph from "and appeared and gave testimony" to "did not appear and give testimony"

Carried unanimously; Councilmember Adado absent

By Councilmember Schmidt:

To adopt the amended resolution

Carried unanimously; Councilmember Adado absent

Resolution #367
PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the special assessment roll #319 for the curb and gutter, storm sewer, and sanitary sewer construction on Jolly Road (PS 78014),

PROPERTY BENEFITED CURB AND GUTTER:
All lands fronting on Jolly Road from Devonshire to Aurelius Road excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED STORM SEWER:
All lands fronting on Jolly Road from Tranter to Aurelius Road excepting all public streets alleys and other land deemed not benefited.

PROPERTY BENEFITED SANITARY SEWER:

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All lands fronting on Jolly Road from 1501 East Jolly to the Conrail Railroad Right of Way excepting all public streets alleys and other land deemed not benefited.

as returned by the City Assessor, be ratified and confirmed, and the Mayor be directed to affix within ten days his warrant directing the City Treasurer to collect said tax on or before the 24th day of September, 1990.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #369
To the Office of the Mayor,

This is a request for variance of the noise ordinance, in conjunction with our request to construct a wooden patio deck for the Bootlegger's located at 5910 S. Pennsylvania.

The improvement would be an open patio used by customers in the summer months. No food offerings are in our plans at this time. The patio will, however, be used in conjunction with our tavern business. Our intensions are to create a sports-bar atmosphere in our game room, located at the east end of our building. The patio addition would be a quiet "get-a-way" type of entity for our patrons to relax away from our live entertainment room. This would also allow us to keep up with the trends which have become so detrimental to the survival of our business. The patio would be located on the far north-east end of our building which is farthest from any residential area (approximately 110 yards).

A large amount of time and money has gone into the planning and preparation of this patio. We have received approval from the Liquor Control Commission and from all other departments necessary to get the above mentioned improvements underway.

Your cooperation in this matter would be greatly appreciated.

Sincerely yours
William Kief
General Manager., Driftwood, Inc.
D.B.A. Bootlegger's
5910 W. Pennsylvania
Lansing, MI 48911

Motion by Councilmember Benavides:

Resolved by the City Council, City of Lansing, to set a public hearing for the earliest possible date regarding this request for variance of the noise ordinance.

Carried unanimously; Councilmember Adado absent.

REFERRED TO THE MAYOR

ORDINANCES FOR INTRODUCTION

ANTI-LOITERING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider an amendment providing that Chapter 622 of Part 6 of the Code of Ordinances of the City of Lansing, Michigan, be amended by adding a new section 622.04 for the purpose of prohibiting an individual from knowlingly loitering in any place where controlled substances or drug paraphernalia is used, sold, dispensed, furnished, given away or stored.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent.

Resolution #368
RESOLUTION SETTING PUBLIC HEARING

ANTI-LOITERING RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, July 2, 1990 at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering an amendment providing that Chapter 622 of Part 6 of the Code of Ordinances of the City of Lansing, Michigan, be amended by adding a new section 622.04 for the purpose of prohibiting an individual from knowlingly loitering in any place where controlled substances or drug paraphernalia is used, sold, dispensed, furnished, given away or stored.

By Councilmember Crawford

Carried unanimously; Councilmember Adado absent.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ A request for a waiver of the noise ordinance received from Bootleggers
(Handled as Resolution # 369 to set a Public Hearing)

REFERRED TO THE MAYOR

2/ A letter received from Carol Boss of 3011 and 3015 N. Cedar Street protesting Assessment Roll #317

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ A letter from Lt. Governor Martha Griffins regarding a complaint received from Donald Frost

REFERRED TO THE MAYOR

4/ Michigan Tax Tribunal Appeal on behalf of Louis and George Eyde

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Benavides:

To excuse the absence of Councilmember Adado from this meeting.

Carried unanimously.

PUBLIC COMMENTS

Russell Greear of 1517-½ Bailey mentioned a problem with cars speeding through his neighborhood and also continuing drug activity within the neighborhood.

Don Frost of 4406 Ingham Street spoke regarding the denial of his claims and his appeal to Lt. Governor Martha Griffins.

Tondra Farmer, formerly of 127 W. Barnes, appealed to Councilmembers for help in finding her a home with good ventilation to live in.

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Cynthia Thelen of 3209 Argyll asked a question about the resolution honoring James Reid. Councilmembers said they would provide her with a copy of the resolution.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd added the good wishes of the Mayor and himself to Senator William Sederburg.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann requested the administration check out the house located at Bailey and Baker for possible code violations.

Councilmember Schmidt reported that the sidewalk East of the Lansing Police Department is broken up and that we need to investigate the cause and get this corrected.

Councilmember Benavides requested the administration check out houses at 3207 Ingham and in the 2700 block of Fielding for possible code violations.

COUNCIL PRESIDENT BELEN:

Council adjourned at 8:30 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 2, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
July 2, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation was led by Councilmember Benavides.

The Pledge of Allegiance was led by Boy Scout Troop # 230.

Motion by Councilmember Ford:

To accept the following under suspension of the rules:

A letter from William Hubbell of 206 E. Main Street regarding the proposed Anti-Loitering Ordinance

2/ A request by Councilmember Lindemann to allow residents of Sparrow Estates to speak during the first Public Comments

Carried unanimously; Councilmember Adado absent.

PUBLIC HEARINGS

A. July 2, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding a Request for Approval for an Industrial Facilities Exemption Certificate for Cameron Tool Corporation, 1800 Bassett Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed action, they would have the privilege of speaking at this time.

There were no public speakers.

REFERRED TO THE MAYOR AND
THE ECONOMIC DEVELOPMENT BOARD

B. July 2, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding an amendment to Chapter 622 of Part 6 of the Code of Ordinances to add a new Section 622.04 for the purpose of prohibiting an individual from knowingly loitering in any place where controlled substances or drug paraphernalia is used, sold, dispensed, furnished, given away or stored.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment, they would have the privilege of speaking at this time.

There were no public speakers.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENTS

The following residents of Sparrow Estates spoke in support of the proposed Anti-Loitering Ordinance and also requested stronger police presence in their neighborhood to counter the drug activities taking place.

-Vicki Adams
-Mrs. Miernik of 629 W. Lapeer
-Ruth Hallman of 1114 W. Lapeer
-John Miernik of 629 W. Lapeer
-Bob Rockwell, Co-ordinator for Neighborhood Watch #120
-Gary Vermillion of 1027 Leslie
-James Lindsey of 1020 Dakin
-Rick McKire of 1001 Dakin
-Jackie Baker of 1011 Dakin
-Mike Prout of 912 S. Holmes
-Nan Reseecoz of 1020 Dakin
-William Holloway of 936 McCullough

Russell Greear of 1517 ½ Bailey stated that he felt the curfews should be enforced in the City to prevent young people from being on the streets late at night.

Harold Leeman of 529 N. Francis requested a copy of item C in Officer and Board Reports from tonight's agenda. A copy was given to him.

Mrs. McFadden of 1218 W. Maple Street stated that if the City was going to change Comstock Park to be available to golfers only, it should be marked so that children are not playing in the street in the area.

SPECIAL CEREMONIES

There was no special ceremony.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. Letter from Vicki Adams, Chairperson of Sparrow Estates, requesting an extension of the barricades in her area

REFERRED TO THE MAYOR

B. Letter from the Michigan Municipal League, informing of the Annual Meeting to be held September 12-14, 1990

REFERRED TO THE MAYOR AND
COUNCIL STAFF

C. Letter from Wendel Frever, President of the Capitol City Lodge No. 141 Fraternal Order of Police, requesting an expansion in the

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number of eligible candidates within the Lansing Police Department for the position of Chief of Police.

REFERRED TO THE MAYOR, CITY ATTORNEY AND POLICE BOARD

D. Notice received from the Department of Social Services of a License being issued for an Adult Foster Care Home to Betty A. Johnston Bullock, 3456 Seaway Drive.

RECEIVED AND PLACED ON FILE

E. Petition received concerning the proposed Elvin Court/Horton Street road connector.

REFERRED TO THE MAYOR

F. Michigan Tax Tribunal Appeal on behalf of Commerce Center Building

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

G. Letter from Nancy Logan opposing the proposed cat ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. Letter from Gladys Gilson, Chairman of the S.C.N.O. supporting a request for a memorial for Ranson E. Olds

REFERRED TO THE MAYOR

I. Letter from Eugene Thoscher of the Lansing Radiator Shop requesting information regarding MDOT property controlled by the City of Lansing

REFERRED TO THE MAYOR

J. Letter from Peter Nelson of Clearwater, Minnesota requesting forms to file a lawsuit against the Lansing Fire Department

REFERRED TO THE CITY ATTORNEY

K. Letter from Tom Shiels of 1118 Riley Street regarding high grass under the I-496 exit/entrance to South Pennsylvania

REFERRED TO THE MAYOR

L. Letter from David Hayhow and Terry Black of the Save the Children Relay Race thanking Councilmembers for their support

RECEIVED AND PLACED ON FILE

M. Letter from Barbara Davis of the West Junior Reunion Committee regarding alleged discriminatory treatment

REFERRED TO THE MAYOR, COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

N. Letter from Mark Spagnuolo of 1724 Old Mill Road, East Lansing, protesting a bill received for trash removal

REFERRED TO THE CITY ATTORNEY

O. Letter received from Mr. Gregory of 2610 Heights protesting the price increase by Continental Cablevision

RECEIVED AND PLACED ON FILE
COPY TO CONTINENTAL CABLEVISION

P. Letter from Brian Jeffries, Chairperson of the Ingham County Board of Commissioners, regarding impact on the County of the new Drug Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Q. Letter from Judy Maag of 911 East State, St. Johns, protesting increased downtown parking rates

RECEIVED AND PLACED ON FILE;
COPY TO DAVE BERRIDGE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane commented on his letters D2, D4, D5, D8, D9 and D10.

CITY OFFICER AND BOARD REPORTS

A. Letter from City Clerk submitting routine application for action on license:

Resolution #370
July 2, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached application for a license has been routinely processed and is recommended for approval. It is ready for final action by City Council.

PUBLIC DRIVER LICENSE: D. Bruce Merrill

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Clerk.

Carried unanimously; Councilmember Adado absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 25, 1990 for Review

RECEIVED AND PLACED ON FILE

C. **Resolution #371**
TO: Council President Lucile Belen and Members of Lansing City Council
FROM: Alvan P. Knot, City Attorney
SUBJECT: City of Lansing v Brothers Land Company
Redemption: Workers' Compensation File No. WC89-0013-BWB
Redemption: Workers' Compensation File No. WC89-0095-BWB
Recommendation for Settlement: Bud Kouts v City of Lansing

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Attorney regarding the subject settlements.

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Carried unanimously; Councilmember Adado absent.

D. Letters from the Mayor re:

1. Tax Abatement Review—Cameron Tool Corporation

REFERRED TO THE
ECONOMIC DEVELOPMENT CORPORATION

2. Sale of Urban Homesteading Property—554 Lincoln Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. Sidewalk Resolution—1990 Sidewalk Repair Contract #1, PS 45036

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4. Barricade Reports—Vivian Riddle and Eastside

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY
AND RECEIVED AND PLACED ON FILE

5. Gasoline Spill at the State Capitol Complex

RECEIVED AND PLACED ON FILE

6. Granting of Easement to Board of Water and Light—Bancroft Park and David Street R.O.W.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7. **Resolution #372**
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: June 28, 1990
SUBJ: Trash Violation Fee (V-21)—$744.45

The attached trash violation/assessment fees are being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously; Councilmember Adado absent.

8. Donation of SHARE Award to Code Compliance Officers and its Subsequent Use

RECEIVED AND PLACED ON FILE

9. Appointment of Richard Reaume to Historic District Commission

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

10. Appointment of Judy Gardi to Historic District Commission

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

11. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

LS-18-90
June 29, 1990
6200 Block Rosedale Road

COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a proposed lot split in the 6200 Block of Rosedale Road

REPORTS AS FOLLOWS: That the proposed Lot Split be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Worthington

NAYS: Schmidt

ABSENT: Adado

RESOLUTIONS

Resolution #373
PUBLIC IMPROVEMENT IV

BY COMMITTEE ON PHYSICAL DEVELOPMENTRESOLVED, by the City Council of the City of Lansing

THAT the special assessment roll for Curb & Gutter, Storm Sewer and Sanitary Sewer,

AURELIUS ROAD RECONSTRUCTION, PHASE II, PS 87063

Be revised as follows:

Assessment Roll #318
PROPERTY BENEFITED: All lands fronting on the west side of Aurelius Road from I-96 south to Willoughby Road and all lands fronting on Dell Road from Aurelius Road west to the west end;

And all lands fronting on Willoughby Road from Aurelius Road west 170 feet and excepting all public streets, alleys, and other land deemed not benefited;

(All parcels on Kingdon Ave. are removed from this special assessment roll.)

THAT the assessable share of the storm sewer be reduced by $67,069.08 and the City share of the storm sewer be increased by $67,069.08 and the revised storm assessment area calculations be based on 170 foot depth. The revised estimate of cost is as follows:

ROLL 318	CITY SHARE	ASSESSABLE TO DELHI TWP	ASSESSABLE TO PROPERTY OWNERS	TOTAL PROJECT COST
San. Sewer	3,698.85	34,513.43	94,239.26	132,451.54
Storm Sewer	161,867.63		39,456.00	201,323.63
Curb & Gutter	45,619.53		48,166.93	93,786.46
Road Constr.	356,260.92			356,260.92
Delhi Twp San. Connection Fee	(25 x 1100)		27,500.00	27,500.00
	567,446.93	34,513.43	209,362.19	811,322.55

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THAT said revised estimated cost be ratified and confirmed, and the City Assessor be directed to revise Assessment roll 318 to reflect these changes;

AND that the Mayor be, and is hereby directed to affix within ten days, his warrant directing the City Treasurer to collect said assessment on or before the 1st of October, 1990.

Following is a revised distribution of costs:

City Share Sanitary	590 453670 973000 20100	3,698.85
City Share Storm	401 933615 973000 41413	130,000.00
City Share Road Const	403 933601 974100 42538	401,880.45
Delhi Sanitary	From Delhi Twp.	34,513.43
Assessment Roll #318	404 933601 974100 12053	209,362.19

I certify that funds are available for the City of Lansing's share of said project.

By Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado.

Resolution #374
June 21, 1990
COMMITTEE ON PHYSICAL DEVELOPMENT

LS-18-90
6200 Block of Rosedale Road

WHEREAS Joe Donahue, Donahue Builders, has requested to divide Lot 41 of Supervisor's Plat of Elmwood Farms into two (2) parcels, each having 55 foot of frontage on Rosedale Road. The lot currently is 110 feet wide by 198 feet deep and is vacant. The proposed division will create two lots, each of which will be five feet (5') below the minimum width requirements as regulated by the Subdivision Control Ordinance; and

WHEREAS the Planning Board held a public hearing on June 5, 1990 at which time Joe Donahue spoke in favor of his request and several people spoke in opposition to the request; and

WHEREAS the Planning Board at their meeting June 19, 1990 reviewed all the testimony and evidence available and concluded that the proposal to divide this lot into two 55 foot parcels is reasonable and, therefore, recommended approval of this lot division; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the recommendation of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the lot division for Lot 41 of Supervisor's Plat of Elmwood Farms, City of Lansing, Ingham County, Michigan to be divided into two parcels to be known as:

Parcel A—The north 55 feet of Lot 41, Supervisor's Plat of Elmwood Farms, City of Lansing, Ingham County, Michigan, and

Parcel B—The South 55 feet of Lot 41 of Supervisor's Plat of Elmwood Farms, City of Lansing, Ingham County, Michigan; and

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, directed to notify the petitioner of this action. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restriction, which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions.

By Councilmember Worthington:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Worthington

NAYS: Schmidt

ABSENT: Adado

Resolution #375
BOND REPLACEMENT RESOLUTION

Minutes of a Regular Meeting of the City Council of the City of Lansing. State of Michigan. (the "Issuer") held at the City Hall in the City of Lansing on the 2nd day of July, 1990 at 7:00 o'clock p.m., local time.

WHEREAS, the Issuer has been duly authorized by Act 354, Public Acts of Michigan, 1972, as amended, to replace or authorize payment without presentment of lost, destroyed or wrongfully taken bonds and other evidences of indebtedness issued by the Issuer and any coupon representing interest thereon; and

WHEREAS, the Issuer has duly authorized and issued certain bonds entitled the City of Lansing Sewage Disposal System Revenue Refunding Bond, 1988 Series, dated July 1, 1988; and

WHEREAS, certain of said bonds has been reported as lost, specifically being certificate number 636, due May 1, 2001 CUSIP No. 516446CX7, in the amount of $5,000, which is fully registered with respect to principal and interest (the "Bond"): and

WHEREAS, the Bond is registered in the name of David Guziatek and Richard Guziatek as Joint Tenants with the Right of Survivorship and not as Tenants in Common (the "Owner"). and the Owner claims to be the lawful owner of all right, title and interest in said Bond described in the preceding paragraph; and

WHEREAS, the Issuer has received an affidavit describing the circumstances surrounding the loss and evidence of ownership: and

WHEREAS, the Owner has requested the replacement of the Bond; has supplied the Issuer with an open penalty bond which indemnifies the Issuer and Manufacturers National Bank of Detroit (the "Trustee") against loss arising out of said replacement, and has agreed to pay all costs incurred in said replacement;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Trustee is hereby directed to take such steps as are necessary to accomplish the replacement of said Bond.

2. Said replacement Bond shall be in substantially the form of the

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original Bond, except the bond shall include an endorsement in substantially the following form:

"This bond has been reissued to replace a bond of like tenor."

The replacement Bond shall be executed in the same manner and by officers holding the same office as the officers who executed the original Bond.

3. Said replacement obligation shall only be delivered after payment is made to cover the costs of preparation of the replacement obligations and all other costs incurred by the Issuer and the Trustee in connection with the issuance and delivery of the replacement obligation.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion by Councilmember Benavides:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Worthington, Schmidt

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

Resolution #375
BOND REPLACEMENT RESOLUTION

Minutes of a Regular Meeting of the City Council of the City of Lansing. State of Michigan, (the "Issuer") held at the City Hall in the City of Lansing on the 2nd day of July, 1990 at 7'o'clock. p.m., local time.

WHEREAS, the Issuer has been duly authorized by Act 354, Public Acts of Michigan, 1972, as amended, to replace or authorize payment without presentment of lost, destroyed or wrongfully taken bonds and other evidences of idebtedness issued by the Issuer and any coupon representing interest thereon; and

WHEREAS, the Issuer has duly authorized and issued certain bonds entitled the City of Lansing Sewage Disposal System Revenue Refunding Bond, Series 1988, dated July 1, 1988; and

WHEREAS, certain of said bonds has been reported as lost, specifically being certificates numbered 637, 638, 639 and 640, due May 1, 2001, CUSIP No. 516446CX7, in the maount of $5,000 each (totalling $20,000), which is fully registered with respect to principal and interest (the "Bond"); and

WHEREAS, the Bond is registered in the name of Cede & Co. (the "Owner"), and the Owner claims to be the lawful owner of all right, title and interest in said Bond described in the preciding paragraph; and

WHEREAS, the Issuer has received an affidavit describing the circumstances surrounding the loss and evidence of ownership; and

WHEREAS the Owner has requested the replacement of the Bond; has supplied the Issuer with an open penalty bond which indemnifies the Issuer and Manufacturers National Bank of Detroit (the "Trustee") against loss arising out of said replacement, and has agreed to pay all costs incurred in said replacement;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The Trustee is hereby directed to take such steps as are necessary to accomplish the replacement of said Bond.

2. Said replacement Bond shall be in substantially the form of the original Bond, except the bond shall include an endorsement in substantially the following form:

"This bond has been reissued to replace a bond of like tenor."

The replacement Bond shall be executed in the same manner and by officers holding the same office as the officers who executed the original Bond.

3. Said replacement obligation shall only be delivered after payment is made to cover the costs of preparation of the replacement obligations and all other costs incurred by the Issuer and the Trustee in connection with the issuance and delivery of the replacement obligation.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion by Councilmember Benavides:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

Resolution #376
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 23, 1990 at 7 p.m. at 519 W. Kalamazoo Street—Lansing School Administration Bldg for the purpose of opposing and/or approving the proposed Special Land Use permit, SLU-6-90, by Community Mental Health on property located at 2125 Lyman Drive.

By Councilmember Worthington:

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-10-90 A 1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District.

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Z-11-90—3113 North East Street to be rezoned from "A" Residential District to "F" Commercial District.

Z-12-90—2416 North East Street to be rezoned from "B" Residential District to "F" Commercial District.

Z-2-90—1900 Block North Larch Street and 1800 Block of Thompson Street to be rezoned from "C" Residential District, "F" Commercial District and "H" Light Industrial District to "F" Commercial District.

was introduced by Councilmember Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

Resolution #377
By Councilmember Worthington:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 23,1990 at 7 p.m. in the Lansing School Adm. Bldg. at 519 W. Kalamazoo Street for the purpose of Opposing and/or approving the Ordinances for rezoning:

Z-10-90 A—1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District.

Z-11-90—3113 North East Street to be rezoned from "A" Residential District to "F" Commercial District.

Z-12-90—2416 North East Street to be rezoned from "B" Residential District to "F" Commercial District.

Z-2-90—1900 Block North Larch Street and 1800 Block of Thompson Street to be rezoned from "C" Residential District, "F" Commercial District and"H" Light Industrial District to "F" Commercial District.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #378
INTRODUCTION OF ORDINANCE
PUBLIC NUISANCE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider an amendment providing that Chapter 6 of the Code of Ordinances of the City of Lansing, Michigan, be amended by adding a new section 623 for the purpose of declaring structures where prostitution occurs and/or where drugs and/or drug paraphernalia are found to be a public nuisance.

By Councilmember Worthington

RESOLUTION SETTING PUBLIC HEARING
PUBLIC NUISANCE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, July 9, 1990 at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering an amendment providing that Chapter 6 of the Code of Ordinances of the City of Lansing, Michigan, be amended by adding a new section 623 for the purpose of declaring structures where prostitution occurs and/or where drugs and/or drug paraphernalia are found to be a public nuisance.

By Councilmember Worthington

Carried unanimously; Councilmember Adado absent.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1 / A letter from William Hubbell of 206 E. Main Street regarding the proposed Anti-Loitering Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2/ A request by Councilmember Lindemann to allow residents of Sparrow Estates to speak during the first Public Comments

(Handled in first Public Comments)

MOTION OF EXCUSED ABSENCE

Councilmember Benavides moved that Councilmember Adado be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

The following members of Citizens for Public Recycling spoke in opposition to the mailing by four Councilmembers of a letter regarding Proposal 2 on the August primary ballot:

-Howard Jones
-Marilyn Shapiro of 223 N. Foster
-Carol Rall of 1608 Shiawassee
-Sue Eby of 130 Island

Frank Curtis of 1137 W. Allegan stated that parents should assume more responsibility for their children and this would help curtail drug activity by children.

Thomas Washington of 1129 Shelter Lane, representing Michigan United Conservation Clubs, presented a sketch of the new building planned for 110 South Washington Avenue. He outlined the problems they have been encountering in gaining public access to the alley behind this building and the expenses and time delays being caused by these problems.

Dale Dobberstein of 916 W. Cavanaugh stated that the recall petition drive has begun and that he anticipates being able to collect the necessary number of signatures within the next 90 days.

Gary Andrews of 560 Brooklyn Blvd. spoke in opposition to the numerous tax increases of the last few years.

Russell Greear of 1517-½ Bailey felt that the increased taxes should be used to help support recycling efforts.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane mentioned the activities that will be occurring in the City for the Fourth of July.

REMARKS BY COUNCILMEMBERS

Councilmember Belen responded to the comments made by the members of Citizens for Public Recycling. She stated that the

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mailing sent out to Absentee Voters was informational only and that the City Attorney agreed that it was a legitimate City expense.

Councilmember Worthington stated that the reason he supported the letter mailed to Absentee Voters is that he feels the City should not limit itself in the handling of recycling and that proposal 2 does limit the options available.

Councilmember Schmidt stated that she felt she was duty bound to inform her constituency of the implications of proposal 2.

Councilmember Ford stated that he feels proposal 2 was approved as a ballot issue and that it should be left for the voters to decide.

Councilmember Benavides stated that since all Councilmembers approved the placing of proposal 2 on the August ballot, he felt they should be leaving it to the voters.

Councilmember Crawford stated that everyone should remain open minded on the issue of recycling and that is why he is in opposition to proposal 2.

Sue Eby was allowed to respond to Councilmember comments on behalf of the Citizens for Public Recycling. She stated that she did not feel the facts included in the letter mailed to absentee voters were correct and that she felt the four councilmembers misused public monies in mailing this letter.

Councilmember Schmidt requested the administration check out the Steppingstone Properties at Miller Road and Pennsylvania for a problem with standing water.

Councilmember Ford requested the administration increase police patrols in the Willow Vista Apartments area.

COUNCIL PRESIDENT BELEN:

Council adjourned at 9:35 p.m.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

REVISED PROCEEDINGS, JULY 9, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
July 9, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

Motion by Councilmember Benavides:

That the printed Council proceedings for June 18, 1990 be approved.

Carried unanimously; Councilmember Adado absent.

The Invocation and Pledge of Allegiance were led by Mayor McKane.

Motion by Councilmember Ford:

To accept the following under suspension of the rules:

A letter from C. Patrick Babcock, Director of the Department of Social Services, regarding the billing service charge included in proposed City Sewage Disposal System rates

2/ A letter from Barbara Klopfenstein regarding noisy car stereos and the gypsy moth caterpillar problem

Carried unanimously; Councilmember Adado absent.

PUBLIC HEARINGS

July 9, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding an amendment to Part 6 of the Code of Ordinances of the City of Lansing to add a new Chapter 623 for the purpose of declaring structures where prostitution occurs and/or where drugs and/or drug paraphernalia are found to be a public nuisance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment, they would have the privilege of speaking at this time.

The following spoke in support of the proposed ordinance:

-Kate Austin of 234 Shepard Street representing herself and other homeowners of her area
-Bob Brockwell of 815 Bancroft Court
-Ruth Hallman of 1014 W. Lapeer
-Russell Greear of 1517-½ Bailey
-Sue Eby of 130 Island

The following spoke in opposition to the proposed ordinance:

-Charles Leap of 6738 Roanoke Way, representing Landlords of Mid-Michigan
-Frank X of 1137 W. Allegan
-Gloria Fleming of 2224 Pamela Place

Ellen Moore of 1620 Osband felt that more notice should be provided for landlords. She submitted a document containing some proposed changes to the ordinance from the Landlords of Mid-Michigan.

John Zackey of 920 S. Washington stated that the City needs to find alternative sources of income for the people dealing in drugs.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENTS

Donald Hines of 1000 Michigan National Tower, on behalf of the Industrial Council, stated that they are in support of the compromise 19% increase in sewage rates.

Bob Refior, an attorney representing Walter Jones of 215 Rumsey, stated that he is opposed to the increased sewage rates as he feels the billing charge should be based upon usage rate and not a flat fixed fee.

Councilmember Ford moved that Council rules be suspended to allow Chris Baryames to speak at this time.

YEAS: Benavides, Ford, Lindemann

NAYS: Belen, Crawford, Schmidt, Worthington

Motion was defeated.

Bill Brenke of 711 Riley Street stated that he feels sewage rates and other utility rates are very reasonable in Lansing.

Hulon Benson of 1018 W. St. Joseph stated that he feels water and sewage bills are too high.

SPECIAL CEREMONIES

There were no special ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. Application for Transfer of a Commercial Facilities Exemption Certificate received from Ronald and Kathleen Jones-3808 S. Cedar Street

REFERRED TO THE MAYOR

B. SLU-I0-90 Petition for Rezoning 217 Sycamore to add Parking

REFERRED TO THE MAYOR AND THE PLANNING BOARD

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C. SLU-9-90 Petition for Rezoning 201 N. Walnut to Construct a Paved Parking area

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Letter received from Bryan Morris of the Department of Natural Resources regarding results of a Compliance Sampling Inspection, City's Wastewater Treatment Plant

REFERRED TO THE MAYOR

E. Michigan Tax Tribunal Appeal on behalf of Oak Park—Oxford Housing regarding Property located at 900 Long Blvd.

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

F. Letter from Steve Hewlitt, Mayor of Olivet, thanking the City for the use of the Police Helicopter in locating a Missing Child

Council President Belen requested that this letter be read into the record.

June 28, 1990
Lansing Police Department
Chief Charles Reifsnyder
124 W. Michigan Avenue
Lansing, MI 48912

Dear Chief Reifsnyder:

On June 27th the City of Olivet experienced a situation in which a 6 year old boy was lost for better than 3 hours. To assist in locating the child your helicopter was requested by way of the Eaton County Sheriff's Department. The child was located when other family members returned to the City with him. Although your unit did not locate the child it did give all the citizens of this City a good feeling that when an emergency exists we have such good neighbors as yourself to count on for help. Again your assistance is appreciated.

Sincerely,
Steve Hewlitt, Mayor, City of Olivet

RECEIVED AND PLACED ON FILE

G. Letter from Herbert and Margaret Hamilton of 1417 Corbett Street regarding the proposed cat ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. Request for Non-Profit Status received from the Michigan Licensed Practical Nurses Association

REFERRED TO THE CITY ATTORNEY

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane commented on letters C1, C2, C3, C4, C5, C6 and C7 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #379
July 9, 1990

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Flint Thomas Grice
AUCTIONEER: Heritage Auction Firm

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 2, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Extension of Board of Water & Light Work Hours: Ottawa Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Extension of T. A. Forsberg, Inc. Work Hours: Cedar Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Barriacade Reports: Vivian Riddle and Eastside

RECEIVED AND PLACED ON FILE

4. Recommendation to reduce Speed Limit on a Section of Miller Road (M.L.K. Blvd. to Pleasant Grove Rd.)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. Recommendation to Deny the Request for a Three-Way Stop at the Intersection of Pacific Avenue and Sunnyside Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. Recommendation to Deny the Request for a Three-Way Stop at the Intersection of Riley Street and Sunnyside Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Recommendation to Deny the Request to Install a Traffic Signal at Pleasant Grove Road and Reo Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the Fiscal Year 1990 Revenue Projections for all funds through March 31, 1990.

Reports As Follows:

Internal Audit reported that a shortfall of $1,138,312, or approximately 9%, will be realized in the Sewage Disposal System Fund in Fiscal Year 1990 as compared to the original budget estimate. Internal Audit further reported that this shortfall is attributable to a reduction in usage, down 14.95% in calendar year 1989. The Ways and Means Committee expresses its concern over this shortfall, and looks forward to further considering this issue upon receipt of the Physical Development Committee's recommendations regarding Wastewater Treatment Rates.

SIGNED

BY COUNCILMEMBER TONY BENAVIDES

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED a request by the Board of Water and Light for a special permit for demolition and construction outside of regular business hours within a City street.

REPORTS AS FOLLOWS: The Committee voted 3-0 to approve the request by the Board of Water and Light to grant permission for construction and demolition outside of regular business hours for removal and replacement of an aging steam main located under Ottawa Street between Grand Avenue and Washington Square. The work outside of regular business hours would be Saturdays between 6:00 a.m. and 4:00 p.m. Project completion is scheduled for September 15,

SIGNED

BY COUNCILMEMBER SIDNEY WORTHINGTON

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the request by TA Forsberg, Inc, to extend work schedule times for Cedar Street Construction.

REPORTS AS FOLLOWS: The Committee voted 3-0 to approve the request by the TA Forsberg, Inc., to extend work schedule time for Cedar Street Construction due to the fact that additional work has been added to the project because of excessive rain days. The work hours would be from 5:30 a.m. to 10:30 p.m. Monday through Friday. This work schedule will last for six to eight weeks.

SIGNED

BY COUNCILMEMBER SIDNEY WORTHINGTON

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

RESOLUTIONS

Resolution #380
SIDEWALK RESOLUTION

BY COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity. Whereas, it is a matter of public necessity to construct sidewalk in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: All lands bounded by Martin Luther King Jr. Blvd./Logan Street, Moores River Drive, Davis Avenue and Mt. Hope Avenue, Excepting all public streets and alleys and other land deemed not benefitted.

AND that the construction of these improvements known as 1990 SIDEWALK REPAIR CONTRACT #1, P.S. #45036, is hereby ordered.

AND FURTHER, that owners of said described lands are hereby required to commence construction within twenty (20) days from the date of notification in accordance with Chapter 1024.04 of the Code of Ordinances; or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Chapter 1024.05 of the Code of Ordinance. The expense of constructing the sidewalk shall be paid out of the Special Assessment Fund and account number 403 933601 974100 42218.

That the City Assessor be, and is directed to make a special assessment installment rolls, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolution #381
PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the following Special Assessment Rolls for new construction and/or repair of sidewalk.

Assessment Roll Number	Public Service Number	Assessable Cost
B-31	37045	$63,329.98
B-32	35063	$108,034.29
B-43	35062	$101,694.05
B-44	37055	$8,769.34

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(cont.)

Assessment Roll Number	Public Service Number	Assessable Cost
B-48	57055	$44,778.88

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said special assessment amounts on or before October 8, 1990.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #382
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing was awarded Section 810 funds to purchase Urban Homestead properties; and

WHEREAS, the Development Division staff inspected several properties referred by the FHA Regional Office during Fiscal Year 1989; and

WHEREAS, property located at 554 Lincoln Avenue, legally described as Lot 81, except the East 11 inches of the North 65 feet thereof, Addmore Park, City of Lansing, Parcel No. 3301-28-299-132 was found to be suitable for the City's Urban Homesteading Program; and

WHEREAS, property located at 1015 E. North Street, legally described as the south 134.92 feet, Lot 18, also commencing southwest corner Lot 18, thence east 66 feet, south 34 feet, west 66 feet, north 34 feet to beginning, Block 1, Ballard's Addition, Parcel No. 3301-10-107-171 was found suitable for the City's Urban Homesteading Program; and

WHEREAS, the Development Division selected Richard D. Oswald and Laura J. Oswald as the potential homesteaders for the property located at 554 Lincoln Avenue; and

WHEREAS, the Development Division selected Wayne J. Winton as the potential homesteaders for the property located at 1015 E. North Street; and

WHEREAS, the City Charter of the City of Lansing, Michigan requires City Council approve of all sales of City property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lansing authorizes the Mayor and City to execute the sales agreements; and

BE IT FURTHER RESOLVED, that the City Council authorizes the sale of 554 Lincoln Avenue to Richard D. Oswald and Laura J. Oswald and the sale of 1015 E. North Street to Wayne J. Winton subject to the terms and conditions of said agreement and the City of Lansing's Urban Homesteading Procedures.

By Councilmember Worthington

Carried unanimously; Councilmember Adado absent

Resolution #383
BY COMMITTEE ON WAYS AND MEANS 7-9-90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-91

That the following transfers be approved:

1)
$112,000.00 from Pub. Ser.—Pkg. Sys. Fund—Fund Bal.
A/C 585-000000-395001-00000
112,000.00 to Pub. Ser.—Pkg. Ctl. Acct.
A/C 585 453642-992200-00000
(To fund operations of the "Fast Trak" Shuttle Lot for FY 91. Funding includes two positions, a new scooter, along with contracted repair and maintenance costs (*not available at this time).

2)
$3,935.00 from Cont. Ctl. A/C 101-173901-992200-13055
3,935.00 to City Council Cont.
A/C 101-112101-992200-00000
(Carpeting for City Council Chambers due to asbestos removal—approved by Ways & Means 7/3/90 (memo account 101-112101-746300-0)

The Balance in the Reserve for Contingency Fund after this transfer is $296,065.00

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED: By Councilmember Benavides: .

Carried unanimously; Councilmember Adado absent

Resolution #384
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Licensed Practical Nurses Association has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby recognizes the Michigan Licensed Practical Nurses Association as a non-profit organization.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

Councilmember Lindemann stated for the record that he disagrees with the percentage of increase in the sewage rates as the proposed rates do not include any set aside monies for emergencies or unforeseen circumstances.

Councilmember Benavides stated that he felt the Committee on

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Physical Development did a good job in the handling of the review of the rate changes and on arriving at the rate of increase.

Councilmember Ford stated that he could not have supported the original 30% increase because of the other increases in taxes that Lansing taxpayers have received in recent months.

BY COUNCILMEMBER Worthington

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Part 10, Chapter 1042, Section 1042.04 to provide for the Method of Charging Sewer Rates and to Provide for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System.

BY COUNCILMEMBER Worthington

That this be considered as being read in its entirety.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

BY COUNCILMEMBER Worthington

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Part 10, Chapter 1042, Section 1042.04 to provide for the Method of Charging Sewer Rates and to Provide for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System be now passed.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

BY COUNCILMEMBER Worthington:

That this Ordinance be given immediate effect.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

ORDINANCE NO. 818

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 10, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042 SECTION 1042.04, TO PROVIDE FOR THE METHOD OF CHARGING SEWER RATES AND TO PROVIDE FOR AN INCREASE IN CERTAIN RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1042.04 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1042.04 AMOUNTS; BILLING.

A. Method of Charging. The rates and charges for services furnished by the City sewage disposal system shall be levied upon each lot or parcel of land, building or premises having any sewer connection with the system, on the basis of the quantity of water used therein, as the same is measured by meters therein used, or in the absence thereof by such equitable method as shall be determined by the Director of Public Service with the approval of Council.

Such charges shall be collected at the same time and in the same manner as provided for the payment of charges for water used, except in cases where the character of the sewage from a manufacturing or industrial plant, building or premises is such that unreasonable additional burden is placed upon the system greater than that imposed by the average sewage delivered to the system plant. In such case, the additional cost of treatment created thereby shall be an additional charge over the regular rates set forth in subsection (b) hereof, or the City may, if it deems it advisable, compel such manufacturing or industrial plant, building or premises to treat such sewage in such manner as specified by the City before discharging such sewage into the sewage disposal system.

Rates for all users obtaining all or part of their water supply from sources other than the City's water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used, in a manner acceptable to Council. The commodity charge for resident users shall be computed on the basis of 900 cubic feet per month per customer, where gauging or metering is not practical.

Council may classify the users of the system according to the quantity and quality of water used and charge such rates to users in each class as it may deem reasonable.

B. Schedule of Regular Rates. The monthly rate to be billed for use of the system shall be as follows for all users within the sanitary sewer service area of the City, except as otherwise provided in this section:

1. Billing charge. One Dollar and Fourteen Cents ($1.14) per customer per month for billing and collecting services.

2. Commodity charge. One Dollar and Seventy-Six Cents ($1.76) per 100 cubic feet of water usage.

3. Lawn sprinkling. Upon all water used by residential users of two units or less, the sewerage charge shall be subject to a discount as follows:

a. In the case of residential customers billed monthly, bills rendered during the months of June, July and August will receive a discount on the commodity charge of ten percent for all water used. The discount does not apply if water used for lawn sprinkling is metered separately. Such discount shall not apply to the billing charge.

b. In the case of residential customers billed quarterly, bills rendered during the months of August, September and October will receive a discount on the commodity charge of ten percent for all water used. The discount does not apply if water used for lawn sprinkling is metered separtely. Such discount shall not apply to the billing charge.

4. Delayed payment charge. A delayed payment charge of five percent of the unpaid balance, excluding delayed payment charges, shall be added to any bill not paid on or before the due date shown thereon.

5. Extra-strength waste surcharge for BOD. Nine cents ($0.09) per pound in excess of 2,500 pounds per day.

6. Extra-strength waste surcharge for suspended solids. Five cents ($0.05) per pound in excess of 1,500 pounds per day.

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7. Industrial and commercial monitoring charges:
a. Composite sample. Two Hundred Twenty-Six Dollars ($226.00) each.
b. Grab sample. Ninety Dollars ($90.00) each.
c. Laboratory analysis. Thirty-Two Dollars ($32.00) each.

C. Landel Rates. The rate to be billed for use of the system for all Landel customers shall be the same as that used within the City.

D. Effective Date. The rates set forth in this section shall be effective on July 1, 1990, except as otherwise provided.A billing covering use of the system before and after the effective date of a rate change shall have such bill prorated, based upon the average use per day and the number of days within such billing period, at the rate then in effect.

E. Collection by Board of Water and Light. The Board of Water and Light is hereby designated as the billing and collecting agent for the City for the purposes of this chapter and is reimbursed from the funds collected for the expense of such billing and collecting.

F. Suburban Users. Suburban users of sewer services located outside of the corporate limits of the City who have connection with the sewerage system of the City shall pay for such services such additional rate to that charged to users within the City as Council may determine to cover additional costs to the City of transportation of waste water administrative costs and depreciation of investments by the Lity in sewerage facilities.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect.

CONSIDERATION OF LATE ITEMS

1/ A letter from C. Patrick Babcock, Director of the Department of Social Services, regarding the billing service charge included in proposed City Sewage Disposal System rates

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ A letter from Barbara Klopfenstein regarding noisy car stereos and the gypsy moth caterpillar problem

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Benavides:

That Councilmember Adado be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Chris Baryames of 1731 Nottingham Road stated that he is concerned over the loss of tax base being given up for parking ramps and lots.

Marilyn Shapiro of 223 N. Foster stated her opposition to the letter sent by some Councilmembers to absentee voters regarding proposal 2 on recycling.

Russell Greear of 1517-½ Bailey stated that the sidewalks in his neighborhood are in need of repairs. He also stated that his home has been broken into three times in nine months and that he is not receiving adequate police protection.

Hulon Benson of 1018 W. St. Joseph wished to extend his thanks to Councilmembers Ford and Benavides for not supporting the property tax increase.

Paula Manderfield, candidate for Ingham County Circuit Judge, introduced herself to Councilmembers and provided some of her background to them.

Howard Jones of 426 W. Barnes and Sue Eby of 130 Island spoke in support of proposal 2 on the August ballot regarding recycling.

Frank X of 1137 W. Allegan read amendment #4 to the Constitution and stated that he felt the proposed ordinance regarding public nuisances violated this amendment.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane responded to Mr. Baryames' charges about the loss of tax base by stating that 17 new buildings have been erected in the downtown area in recent years which necessitated the building of more parking structures. These new buildings have increased the tax base for the City, not decreased it.

The Mayor also updated Council to the fact that housing has been located for Miss Tondra Farmer who appeared at Council on June 25, 1990, requesting assistance in locating housing.

The Mayor stated that he asked the Chief of Police to provide him with an update on any gang activities within the City of Lansing. The Chief stated that while there is some activity, it is not highly organized at this time.

The Mayor mentioned that the week of August 5-11, 1990 is Homeless Assistance Week in Michigan and reviewed some of the activities planned to support this Week.

The Mayor also commented on the success of the Mini Grand Prix and the 4th of July Parade in downtown Lansing.

REMARKS BY COUNCILMEMBERS

Councilmember Crawford stated that the mailing sent to absentee voters by some Councilmembers did not take any political position and, therefore, was appropriate for mailing using City funds.

Councilmember Worthington stated that he is opposed to proposal 2 regarding recycling because it limits the options available for handling recycling. Proposal 2 mandates Public Service Department management of the recycling and Councilmember Worthington feels that all options should be considered.

Councilmember Lindemann stated that he still has some concerns about the security at the River Street parking lot as he has received reports that the foot patrol officer promised to patrol this lot has not been visible.

Councilmember Schmidt stated that she has received many favorable comments about the mailing regarding proposal 2 on recycling from her constituents.

Councilmember Benavides mentioned that the Ways and Means Committee will not be meeting on July 10, 1990. He also requested the administration to provide a status on the request for a "No Truck Route" sign to be installed at Ionia and Butler.

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Councilmember Ford requested the administration check into four homes in the Comfort Street area which are being rented by the Lansing Housing Commission. There have been numerous occasions of raucous activity in this area.

Councilmember Belen stated that the mailing sent to absentee voters regarding proposal 2 was not illegally sent but received the approval of the City Attorney prior to being mailed. She further stated that the figures included in this letter were carefully researched.

COUNCIL PRESIDENT BELEN:

Council adjourned at 10:00 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 9, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
July 9, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

Motion by Councilmember Benavides:

That the printed Council proceedings for June 18, 1990 be approved.

Carried unanimously; Councilmember Adado absent.

The Invocation and Pledge of Allegiance were led by Mayor McKane.

Motion by Councilmember Ford:

To accept the following under suspension of the rules:

A letter from C. Patrick Babcock, Director of the Department of Social Services, regarding the billing service charge included in proposed City Sewage Disposal System rates

2/ A letter from Barbara Klopfenstein regarding noisy car stereos and the gypsy moth caterpillar problem

Carried unanimously; Councilmember Adado absent.

PUBLIC HEARINGS

July 9, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding an amendment to Part 6 of the Code of Ordinances of the City of Lansing to add a new Chapter 623 for the purpose of declaring structures where prostitution occurs and/or where drugs and/or drug paraphernalia are found to be a public nuisance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment, they would have the privilege of speaking at this time.

The following spoke in support of the proposed ordinance:

-Kate Austin of 234 Shepard Street representing herself and other homeowners of her area
-Bob Brockwell of 815 Bancroft Court
-Ruth Hallman of 1014 W. Lapeer
-Russell Greear of 1517-½ Bailey
-Sue Eby of 130 Island

The following spoke in opposition to the proposed ordinance:

-Charles Leap of 6738 Roanoke Way, representing Landlords of Mid-Michigan
-Frank X of 1137 W. Allegan
-Gloria Fleming of 2224 Pamela Place

Ellen Moore of 1620 Osband felt that more notice should be provided for landlords. She submitted a document containing some proposed changes to the ordinance from the Landlords of Mid-Michigan.

John Zackey of 920 S. Washington stated that the City needs to find alternative sources of income for the people dealing in drugs.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENTS

Donald Hines of 1000 Michigan National Tower, on behalf of the Industrial Council, stated that they are in support of the compromise 19% increase in sewage rates.

Bob Refior, an attorney representing Walter Jones of 215 Rumsey, stated that he is opposed to the increased sewage rates as he feels the billing charge should be based upon usage rate and not a flat fixed fee.

Councilmember Ford moved that Council rules be suspended to allow Chris Baryames to speak at this time.

YEAS: Benavides, Ford, Lindemann

NAYS: Belen, Crawford, Schmidt, Worthington

Motion was defeated.

Bill Brenke of 711 Riley Street stated that he feels sewage rates and other utility rates are very reasonable in Lansing.

Hulon Benson of 1018 W. St. Joseph stated that he feels water and sewage bills are too high.

SPECIAL CEREMONIES

There were no special ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. Application for Transfer of a Commercial Facilities Exemption Certificate received from Ronald and Kathleen Jones-3808 S. Cedar Street

REFERRED TO THE MAYOR

B. SLU-I0-90 Petition for Rezoning 217 Sycamore to add Parking

REFERRED TO THE MAYOR AND THE PLANNING BOARD

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C. SLU-9-90 Petition for Rezoning 201 N. Walnut to Construct a Paved Parking area

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Letter received from Bryan Morris of the Department of Natural Resources regarding results of a Compliance Sampling Inspection, City's Wastewater Treatment Plant

REFERRED TO THE MAYOR

E. Michigan Tax Tribunal Appeal on behalf of Oak Park—Oxford Housing regarding Property located at 900 Long Blvd.

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

F. Letter from Steve Hewlitt, Mayor of Olivet, thanking the City for the use of the Police Helicopter in locating a Missing Child

Council President Belen requested that this letter be read into the record.

June 28, 1990
Lansing Police Department
Chief Charles Reifsnyder
124 W. Michigan Avenue
Lansing, MI 48912

Dear Chief Reifsnyder:

On June 27th the City of Olivet experienced a situation in which a 6 year old boy was lost for better than 3 hours. To assist in locating the child your helicopter was requested by way of the Eaton County Sheriff's Department. The child was located when other family members returned to the City with him. Although your unit did not locate the child it did give all the citizens of this City a good feeling that when an emergency exists we have such good neighbors as yourself to count on for help. Again your assistance is appreciated.

Sincerely,
Steve Hewlitt, Mayor, City of Olivet

RECEIVED AND PLACED ON FILE

G. Letter from Herbert and Margaret Hamilton of 1417 Corbett Street regarding the proposed cat ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. Request for Non-Profit Status received from the Michigan Licensed Practical Nurses Association

REFERRED TO THE CITY ATTORNEY

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane commented on letters C1, C2, C3, C4, C5, C6 and C7 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #379
July 9, 1990

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Flint Thomas Grice
AUCTIONEER: Heritage Auction Firm

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 2, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Extension of Board of Water & Light Work Hours: Ottawa Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Extension of T. A. Forsberg, Inc. Work Hours: Cedar Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Barriacade Reports: Vivian Riddle and Eastside

RECEIVED AND PLACED ON FILE

4. Recommendation to reduce Speed Limit on a Section of Miller Road (M.L.K. Blvd. to Pleasant Grove Rd.)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. Recommendation to Deny the Request for a Three-Way Stop at the Intersection of Pacific Avenue and Sunnyside Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. Recommendation to Deny the Request for a Three-Way Stop at the Intersection of Riley Street and Sunnyside Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Recommendation to Deny the Request to Install a Traffic Signal at Pleasant Grove Road and Reo Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the Fiscal Year 1990 Revenue Projections for all funds through March 31, 1990.

Reports As Follows:

Internal Audit reported that a shortfall of $1,138,312, or approximately 9%, will be realized in the Sewage Disposal System Fund in Fiscal Year 1990 as compared to the original budget estimate. Internal Audit further reported that this shortfall is attributable to a reduction in usage, down 14.95% in calendar year 1989. The Ways and Means Committee expresses its concern over this shortfall, and looks forward to further considering this issue upon receipt of the Physical Development Committee's recommendations regarding Wastewater Treatment Rates.

SIGNED

BY COUNCILMEMBER TONY BENAVIDES

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED a request by the Board of Water and Light for a special permit for demolition and construction outside of regular business hours within a City street.

REPORTS AS FOLLOWS: The Committee voted 3-0 to approve the request by the Board of Water and Light to grant permission for construction and demolition outside of regular business hours for removal and replacement of an aging steam main located under Ottawa Street between Grand Avenue and Washington Square. The work outside of regular business hours would be Saturdays between 6:00 a.m. and 4:00 p.m. Project completion is scheduled for September 15,

SIGNED

BY COUNCILMEMBER SIDNEY WORTHINGTON

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the request by TA Forsberg, Inc, to extend work schedule times for Cedar Street Construction.

REPORTS AS FOLLOWS: The Committee voted 3-0 to approve the request by the TA Forsberg, Inc., to extend work schedule time for Cedar Street Construction due to the fact that additional work has been added to the project because of excessive rain days. The work hours would be from 5:30 a.m. to 10:30 p.m. Monday through Friday. This work schedule will last for six to eight weeks.

SIGNED

BY COUNCILMEMBER SIDNEY WORTHINGTON

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

RESOLUTIONS

Resolution #380
SIDEWALK RESOLUTION

BY COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity. Whereas, it is a matter of public necessity to construct sidewalk in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: All lands bounded by Martin Luther King Jr. Blvd./Logan Street, Moores River Drive, Davis Avenue and Mt. Hope Avenue, Excepting all public streets and alleys and other land deemed not benefitted.

AND that the construction of these improvements known as 1990 SIDEWALK REPAIR CONTRACT #1, P.S. #45036, is hereby ordered.

AND FURTHER, that owners of said described lands are hereby required to commence construction within twenty (20) days from the date of notification in accordance with Chapter 1024.04 of the Code of Ordinances; or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Chapter 1024.05 of the Code of Ordinance. The expense of constructing the sidewalk shall be paid out of the Special Assessment Fund and account number 403 933601 974100 42218.

That the City Assessor be, and is directed to make a special assessment installment rolls, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolution #381
PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the following Special Assessment Rolls for new construction and/or repair of sidewalk.

Assessment Roll Number	Public Service Number	Assessable Cost
B-313	7045	$63,329.98
B-322	5063	$108,034.29
B-432	5062	$101,694.05
B-446	7055	$8,769.34

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(cont.)

Assessment Roll Number	Public Service Number	Assessable Cost
B-485	7055	$44,778.88

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said special assessment amounts on or before October 8, 1990.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #382
By Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing was awarded Section 810 funds to purchase Urban Homestead properties; and

WHEREAS, the Development Division staff inspected several properties referred by the FHA Regional Office during Fiscal Year 1989; and

WHEREAS, property located at 554 Lincoln Avenue, legally described as Lot 81, except the East 11 inches of the North 65 feet thereof, Addmore Park, City of Lansing, Parcel No. 3301-28-299-132 was found to be suitable for the City's Urban Homesteading Program; and

WHEREAS, property located at 1015 E. North Street, legally described as the south 134.92 feet, Lot 18, also commencing southwest corner Lot 18, thence east 66 feet, south 34 feet, west 66 feet, north 34 feet to beginning, Block 1, Ballard's Addition, Parcel No. 3301-10-107-171 was found suitable for the City's Urban Homesteading Program; and

WHEREAS, the Development Division selected Richard D. Oswald and Laura J. Oswald as the potential homesteaders for the property located at 554 Lincoln Avenue; and

WHEREAS, the Development Division selected Wayne J. Winton as the potential homesteaders for the property located at 1015 E. North Street; and

WHEREAS, the City Charter of the City of Lansing, Michigan requires City Council approve of all sales of City property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lansing authorizes the Mayor and City to execute the sales agreements; and

BE IT FURTHER RESOLVED, that the City Council authorizes the sale of 554 Lincoln Avenue to Richard D. Oswald and Laura J. Oswald and the sale of 1015 E. North Street to Wayne J. Winton subject to the terms and conditions of said agreement and the City of Lansing's Urban Homesteading Procedures.

By Councilmember Worthington

Carried unanimously; Councilmember Adado absent

Resolution #383
BY COMMITTEE ON WAYS AND MEANS 7-9-90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-91

That the following transfers be approved:

1)
$112,000.00 from Pub. Ser.—Pkg. Sys. Fund—Fund Bal.
A/C 585-000000-395001-00000
112,000.00 to Pub. Ser.—Pkg. Ctl. Acct.
A/C 585 453642-992200-00000
(To fund operations of the "Fast Trak" Shuttle Lot for FY 91. Funding includes two positions, a new scooter, along with contracted repair and maintenance costs (*not available at this time).

2)
$3,935.00 from Cont. Ctl. A/C 101-173901-992200-13055
3,935.00 to City Council Cont.
A/C 101-112101-992200-00000
(Carpeting for City Council Chambers due to asbestos removal—approved by Ways & Means 7/3/90 (memo account 101-112101-746300-0)

The Balance in the Reserve for Contingency Fund after this transfer is $296,065.00

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED: By Councilmember Benavides: .

Carried unanimously; Councilmember Adado absent

Resolution #384
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Licensed Practical Nurses Association has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby recognizes the Michigan Licensed Practical Nurses Association as a non-profit organization.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

Councilmember Lindemann stated for the record that he disagrees with the percentage of increase in the sewage rates as the proposed rates do not include any set aside monies for emergencies or unforeseen circumstances.

Councilmember Benavides stated that he felt the Committee on

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Physical Development did a good job in the handling of the review of the rate changes and on arriving at the rate of increase.

Councilmember Ford stated that he could not have supported the original 30% increase because of the other increases in taxes that Lansing taxpayers have received in recent months.

BY COUNCILMEMBER Worthington

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Part 10, Chapter 1042, Section 1042.04 to provide for the Method of Charging Sewer Rates and to Provide for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System.

BY COUNCILMEMBER Worthington

That this be considered as being read in its entirety.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

BY COUNCILMEMBER Worthington

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Part 10, Chapter 1042, Section 1042.04 to provide for the Method of Charging Sewer Rates and to Provide for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System be now passed.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

BY COUNCILMEMBER Worthington:

That this Ordinance be given immediate effect.

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Adado

ORDINANCE NO. 818

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 10, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042 SECTION 1042.04, TO PROVIDE FOR THE METHOD OF CHARGING SEWER RATES AND TO PROVIDE FOR AN INCREASE IN CERTAIN RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1042.04 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1042.04 AMOUNTS; BILLING.

A. Method of Charging. The rates and charges for services furnished by the City sewage disposal system shall be levied upon each lot or parcel of land, building or premises having any sewer connection with the system, on the basis of the quantity of water used therein, as the same is measured by meters therein used, or in the absence thereof by such equitable method as shall be determined by the Director of Public Service with the approval of Council.

Such charges shall be collected at the same time and in the same manner as provided for the payment of charges for water used, except in cases where the character of the sewage from a manufacturing or industrial plant, building or premises is such that unreasonable additional burden is placed upon the system greater than that imposed by the average sewage delivered to the system plant. In such case, the additional cost of treatment created thereby shall be an additional charge over the regular rates set forth in subsection (b) hereof, or the City may, if it deems it advisable, compel such manufacturing or industrial plant, building or premises to treat such sewage in such manner as specified by the City before discharging such sewage into the sewage disposal system.

Rates for all users obtaining all or part of their water supply from sources other than the City's water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used, in a manner acceptable to Council. The commodity charge for resident users shall be computed on the basis of 900 cubic feet per month per customer, where gauging or metering is not practical.

Council may classify the users of the system according to the quantity and quality of water used and charge such rates to users in each class as it may deem reasonable.

B. Schedule of Regular Rates. The monthly rate to be billed for use of the system shall be as follows for all users within the sanitary sewer service area of the City, except as otherwise provided in this section:

1. Billing charge. One Dollar and Fourteen Cents ($1.14) per customer per month for billing and collecting services.

2. Commodity charge. One Dollar and Seventy-Six Cents ($1.76) per 100 cubic feet of water usage.

3. Lawn sprinkling. Upon all water used by residential users of two units or less, the sewerage charge shall be subject to a discount as follows:

a. In the case of residential customers billed monthly, bills rendered during the months of June, July and August will receive a discount on the commodity charge of ten percent for all water used. The discount does not apply if water used for lawn sprinkling is metered separately. Such discount shall not apply to the billing charge.

b. In the case of residential customers billed quarterly, bills rendered during the months of August, September and October will receive a discount on the commodity charge of ten percent for all water used. The discount does not apply if water used for lawn sprinkling is metered separtely. Such discount shall not apply to the billing charge.

4. Delayed payment charge. A delayed payment charge of five percent of the unpaid balance, excluding delayed payment charges, shall be added to any bill not paid on or before the due date shown thereon.

5. Extra-strength waste surcharge for BOD. Nine cents ($0.09) per pound in excess of 2,500 pounds per day.

6. Extra-strength waste surcharge for suspended solids. Five cents ($0.05) per pound in excess of 1,500 pounds per day.

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7. Industrial and commercial monitoring charges:
a. Composite sample. Two Hundred Twenty-Six Dollars ($226.00) each.
b. Grab sample. Ninety Dollars ($90.00) each.
c. Laboratory analysis. Thirty-Two Dollars ($32.00) each.

C. Landel Rates. The rate to be billed for use of the system for all Landel customers shall be the same as that used within the City.

D. Effective Date. The rates set forth in this section shall be effective on July 1, 1990, except as otherwise provided.A billing covering use of the system before and after the effective date of a rate change shall have such bill prorated, based upon the average use per day and the number of days within such billing period, at the rate then in effect.

E. Collection by Board of Water and Light. The Board of Water and Light is hereby designated as the billing and collecting agent for the City for the purposes of this chapter and is reimbursed from the funds collected for the expense of such billing and collecting.

F. Suburban Users. Suburban users of sewer services located outside of the corporate limits of the City who have connection with the sewerage system of the City shall pay for such services such additional rate to that charged to users within the City as Council may determine to cover additional costs to the City of transportation of waste water administrative costs and depreciation of investments by the Lity in sewerage facilities.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect.

CONSIDERATION OF LATE ITEMS

1/ A letter from C. Patrick Babcock, Director of the Department of Social Services, regarding the billing service charge included in proposed City Sewage Disposal System rates

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ A letter from Barbara Klopfenstein regarding noisy car stereos and the gypsy moth caterpillar problem

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Benavides:

That Councilmember Adado be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Chris Baryames of 1731 Nottingham Road stated that he is concerned over the loss of tax base being given up for parking ramps and lots.

Marilyn Shapiro of 223 N. Foster stated her opposition to the letter sent by some Councilmembers to absentee voters regarding proposal 2 on recycling.

Russell Greear of 1517-½ Bailey stated that the sidewalks in his neighborhood are in need of repairs. He also stated that his home has been broken into three times in nine months and that he is not receiving adequate police protection.

Hulon Benson of 1018 W. St. Joseph wished to extend his thanks to Councilmembers Ford and Benavides for not supporting the property tax increase.

Paula Manderfield, candidate for Ingham County Circuit Judge, introduced herself to Councilmembers and provided some of her background to them.

Howard Jones of 426 W. Barnes and Sue Eby of 130 Island spoke in support of proposal 2 on the August ballot regarding recycling.

Frank X of 1137 W. Allegan read amendment #4 to the Constitution and stated that he felt the proposed ordinance regarding public nuisances violated this amendment.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane responded to Mr. Baryames' charges about the loss of tax base by stating that 17 new buildings have been erected in the downtown area in recent years which necessitated the building of more parking structures. These new buildings have increased the tax base for the City, not decreased it.

The Mayor also updated Council to the fact that housing has been located for Miss Tondra Farmer who appeared at Council on June 25, 1990, requesting assistance in locating housing.

The Mayor stated that he asked the Chief of Police to provide him with an update on any gang activities within the City of Lansing. The Chief stated that while there is some activity, it is not highly organized at this time.

The Mayor mentioned that the week of August 5-11, 1990 is Homeless Assistance Week in Michigan and reviewed some of the activities planned to support this Week.

The Mayor also commented on the success of the Mini Grand Prix and the 4th of July Parade in downtown Lansing.

REMARKS BY COUNCILMEMBERS

Councilmember Crawford stated that the mailing sent to absentee voters by some Councilmembers did not take any political position and, therefore, was appropriate for mailing using City funds.

Councilmember Worthington stated that he is opposed to proposal 2 regarding recycling because it limits the options available for handling recycling. Proposal 2 mandates Public Service Department management of the recycling and Councilmember Worthington feels that all options should be considered.

Councilmember Lindemann stated that he still has some concerns about the security at the River Street parking lot as he has received reports that the foot patrol officer promised to patrol this lot has not been visible.

Councilmember Schmidt stated that she has received many favorable comments about the mailing regarding proposal 2 on recycling from her constituents.

Councilmember Benavides mentioned that the Ways and Means Committee will not be meeting on July 10, 1990. He also requested the administration to provide a status on the request for a "No Truck Route" sign to be installed at Ionia and Butler.

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Councilmember Ford requested the administration check into four homes in the Comfort Street area which are being rented by the Lansing Housing Commission. There have been numerous occasions of raucous activity in this area.

Councilmember Belen stated that the mailing sent to absentee voters regarding proposal 2 was not illegally sent but received the approval of the City Attorney prior to being mailed. She further stated that the figures included in this letter were carefully researched.

COUNCIL PRESIDENT BELEN:

Council adjourned at 10:00 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 16, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
July 16, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

Motion by Councilmember Benavides:

To accept the following under suspension of the rules:

1/ Resolution congratulating the New Hope Church of God in Christ on their new beginning

2/ Resolution welcoming the National Caucus and Center on Black Aged, Inc.

3/ Transfer of Funds for $10,501 for purchase of radios, chargers and carrying cases for Tri-County Metro Governmental Board

4/ Letter from Evelyn Brayton of 3011 Leon Avenue regarding the proposed cat ordinance

5/ Petition from residents of the 600 block of West Lapeer Street requesting permission to close the block for a neighborhood social on August 7th

6/ Letter from Thomas Burchman of Wolverine Development Corporation requesting an extension of time for payment of special assessment

Carried unanimously; Councilmember Adado absent.

PUBLIC HEARINGS

A. July 16, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding the Transfer of a Commercial Facilities Exemption Certificate from Altman Brothers Co. to Thomas M. Cooley Law School.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed transfer, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

B. July 16, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding Z-9-90—320 North Walnut Street petition for rezoning from "DM-4" Residential District to "D-1" professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. July 16, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding Z-5-90—324 North Pine Street petition for rezoning from "DM-3" Residential District to "D-2" Residential Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. July 16, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding Z-8-90—215/219 W. Lapeer Street petition for rezoning from "DM-3" Residential District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Harold Leeman of 529 N. Francis asked a question regarding a new access road for Groesbeck Golf Course and whether it was part of the master plan in resolution #XII-A4. Councilmember Worthington responded that there is no plan to move the entrance to Groesbeck Golf Course as part of the master plan. This will not be done without agreement from the neighbors in the area. No other public speakers.

SPECIAL CEREMONIES

Councilmember Lindemann, under approved suspension of the rules, presented a proclamation honoring the National Caucus and Center on Black Aged, Inc.

COMMUNICATIONS AND PETITIONS

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Motion by Councilmember Ford:

That Communcations and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. Letter from Lisa Kapp of the Department of Natural Resources outlining the City of Lansing's Clean Michigan Community Grant under the Solid Waste Alternatives Program

REFERRED TO THE COMMITTEE OF THE WHOLE

B. Letter from John Person of the Department of Treasury regarding an Industrial Facility Exemption Application #89-712 filed by Wohlert Corporation

RECEIVED AND PLACED ON FILE

C. Letter from Daniel and Mary Harger of 334 Berry Avenue appealing Denial of their sewer claim by the Claims Review Committee

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND CITY ATTORNEY

D. Letter from Carlton McConnell regarding the St. Joe Park Summer Fest

RECEIVED AND PLACED ON FILE

E. Letter from Lester Wheeler protesting a Nuisance Fee Billing Statement he Received

REFERRED TO THE CITY ATTORNEY

F. Letter from Gerald Graves of 1623 S. Genesee Drive regarding illegal parking in the area of Memphis Street between W. Shiawassee and S. Genesee Drive

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

G. Letter from M. Carol Bambery of the Michigan United Conservation Clubs requesting to be on the Agenda regarding the Alleyway in Block 101, City of Lansing, Original Plat

RECEIVED AND PLACED ON FILE
COPY TO COMMITTEE ON PUBLIC SERVICE

H. Unsigned letter regarding the proposed Cat Ordinance

RECEIVED AND PLACED ON FILE

I. Letter from Susan Ekstrom regarding Parking Ticket she Received on Washington Square (90 minute parking area)

RECEIVED AND PLACED ON FILE
REFERRED TO TRAFFIC DEPARTMENT

J. Letter from Norma Soules of 145 Hawthorne Drive, Dimondale, regarding Parking Tickets she Received (90 minute parking area)

RECEIVED AND PLACED ON FILE
REFERRED TO TRAFFIC DEPARTMENT

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane addressed the problem raised by Gerald Graves regarding illegal parking and who is responsible for enforcement. The Mayor responded that this communication uncovered a procedural problem which has been corrected. The Lansing Police Department will be enforcing parking after 5:00 P.M.

Mayor McKane covered letter D4 regarding the recommended closing of the Vital Records Section of the City Clerk's Office.

CITY OFFICER AND BOARD REPORTS

A.
Letters from City Clerk submitting routine applications for action on licenses and bonds:

APPROVALS:

Resolution #385
July 16, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Aaron Charles Downing
ICE CREAM PEDDLER: Clem's Ice Cream
SDM LIQUOR LICENSE: May Party Store, 1568 E. Grand River

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Clerk.

Carried unanimously; Councilmember Adado absent

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 9, 1990 for Review

RECEIVEO AND PLACED ON FILE

C. Letter from Emerson Ohl, Executive Director of the Office of Economic Development, requesting Council approval of the the Designation of the Amended Project Area and other items relative to the Thomas M. Cooley Law School Project

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

D. Letters from the Mayor re:

1. ACT-15-90 Main Street Right-of-Way (Sale of Property)

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Recommendation for transfer of a Commercial Facilities Exemption Certificate from Altman Brothers Co. to Thomas M. Cooley Law School

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

3. Sole Source Procurements over $10,000 for the Second

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Quarter of 1990

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. County Clerk Acting as Local Registrar for the City of Lansing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #386
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Judy Gardi to the Historic District Commission for a term to expire June, 1994, is hereby confirmed.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #387
PUBLIC IMPROVEMENT III

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED, by the City Council of the City of Lansing

That the Special Assessment Roll for Curb & Gutter and Storm Sewer,

1990 CURB & GUTTER CONSTRUCTION, PS 64119

ASSESSMENT ROLL #320

PROPERTY BENEFITED:	All lands fronting on
RICHARD ROAD	from Sawyer to Edgewood,
FIELDING DRIVE	from Wainwright to Ingham,
BALLARD STREET	from Risdale to Fielding,
WHYTE STREET	from Illinois to Indiana
S. CEDAR STREET	from Robert to Cavanaugh (East side only)

excepting all public streets, alleys and other lands deemed not benefited,

be revised and the estimated cost of said improvements be based on construction bids as follows:

ROLL #320	CITY SHARE	ASSESSED SHARE	TOTAL
Storm Sewer	33,771.80	17,205.01	50,976.81
Curb & Gutter	13,022.35	53,909.20	66,931.55
Road Const.	116,389.05	————	116,389.05
Totals	163,183.20	71,114.21	234,297.41

That said revised estimated cost returned by the Public Service Department be received and placed on file.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, July 30, 1990, at 7:00 P.M., in the School Board Meeting Room, Lansing School Board Administrative Building, 519 W. Kalamazoo Street, Lansing, Michigan, to review, prior to confirmation, said special assessment roll.

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1) of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin boards at First Floor Lobby, City Clerk's Office, and Council Chambers of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner.

Let it be known any person who wishes to protest this Special Assessment must appear and protest at the Special Assessment Hearing, in order to appeal the amount of the Special Assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the Hearing to protest the Special Assessment, or shall be permitted to file his or her appearance or protest by letter, and his or her personal appearance shall not be required. The City shall maintain a record of the parties who appear to protest at the Hearing. If a Hearing is terminated or adjourned on the day before a party is provided the opportunity to be heard, a party whose appearance was recorded is considered to have protested the Special Assessment in person.

I hereby certify that funds are available for the City of Lansing's share of said project as follows:

City Share Storm Sewer	
401 933615 973000 41413	$ 33,771.80
Road Construction	
403 933601 974100 42120	$129,411.40
ROLL # 320	
404 933601 974100 12055	$ 71,114.21

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent

Resolution #388
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of Water and Light installed a security fence around their property north of the David St. R.O.W. and Bancroft Park; and

WHEREAS, a recent survey of the area revealed the fence is as much as five feet on to the City owned property; and

WHEREAS, the Board of Water and Light has requested an easement that would permit the fence to remain; and

WHEREAS, the City has no current plans to develop or utilize the land enclosed by the fence; and

WHEREAS, the Board of Water and Light is granting an easement across their line retension pond site for the River Trail in exchange:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the granting of said easement to the Board of Water and Light in a form approved by the City Attorney.

By Councilmember Worthington:

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Carried unanimously; Councilmember Adado absent

Resolution #389
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Park Board has approved the concept of developing the Waverly Golf Course into an 18 hole course, and has approved the concept of updating Groesbeck Golf Course; and

WHEREAS, the Planning Board has recommended the approval of these updated golf course master plans to the Lansing City Council; and

WHEREAS, the Mayor concurs with the Park Board recommendation as submitted,

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the Golf Course Master Plans for Waverly and Groesbeck Golf Courses as recommended by the Park Board.

By Councilmember Worthington:

Carried unanimously; Councilmember Adado absent.

Resolution #390
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-84, at 3808 S. Cedar St. and has issued a Commercial Facilities Exemption Certificate for a facility at that site to Ted L. Friedinger on February 27, 1984 to remain in effect for twelve years and

WHEREAS, Ronald R. Jones, Sr. and Kathleen A. Jones have applied for the transfer of this Commercial Facilities Exemption Certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Ronald R. Jones, Sr. and Kathleen A. Jones application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-2-84; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Lansing School District Administration Building, Board of Education Meeting Room, 519 W. Kalamazoo Street, Lansing, Michigan, on Monday, July 30, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #391
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 1800 Bassett Avenue, more fully described on Attachment A; and

WHEREAS, Cameron Tool Corporation has submitted an application for an Industrial Facilities Exemption Certificate for the construction of a new facility within said Industrial Development District; and

WHEREAS, a hearing was held on Cameron Tool Corporation's application for an Exemption Certificate on July 2, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Cameron Tool Corporation has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Lansing approves the application from Cameron Tool Corporation for an Industrial Facilities Exemption Certificate (IPR-4-90), to remain in effect for a period of twelve (12) years.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent.

ATTACHMENT A

The north 132 feet of Lots 27 and 28 and the north 132 feet of the west 27.7 feet of Lot 29, Assessor's Plat No. 11 on the northwest ¼ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan.

The north 132 feet of the west ½ of Lot 30, and the north 132 feet of the east 9.3 feet of Lot 29; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 31, except the east 163 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 32, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 33, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 34, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lots 1 through 9, Outlots A and B, vacated Shirann Street, and to be vacated Owens Street adjoining Lots 6 through 9 and Outlots A and B; all in Shirann Subdivision, City of Lansing, Ingham County, Michigan.

Resolution #392
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined

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that the building located at 713 Randall Street, legally described as:

3301 03 353 061
Lot 27, Spencer's Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 24, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 25, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 16, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #393
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1507 Sheldon Avenue, legally described as:

3301 10 405 041
Lot 1, Block F Franklin Avenue Park Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 24, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 25, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 16, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the addreaa shown on the records. Opon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilbember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #394
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and Ingham County have jointly contracted for exploration of a Consolidated Court Facility; and

WHEREAS, the preliminary reports of the consultant and other changes in the downtown area require a decision on whether to continue consideration of all three sites proposed for a new facility; and

WHEREAS, the initial consultant report and administrative recommendations have been reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the City concurs in

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elimination of further consideration of the Board of Water and Light headquarters and of the River Street site as potential locations for the Consolidated Court Facility; and

BE IT FURTHER RESOLVED, that the City reaffirms its long-standing policy that any Consolidated Court Facility be located within the downtown Lansing area.

By Councilmember Worthington:

YEAS: Belen, Benavides, Crawford, Ford, Lindemann, Worthington

NAYS: Schmidt

ABSENT: Adado

Resolution #395
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a reunion of alumni of Main Street School will be held on Saturday, July 21, 1990; and

WHEREAS, this school was a dynamic force within its neighborhood until it closed in June 1983; and

WHEREAS, school principals such as J.E. "Bud" Hayes and faculty members such as first grade teacher Mrs. Groves stand out in the memories of alumni as exemplary role models that have shaped the lives of many who passed through the halls of Main Street School; and

WHEREAS, the reunion is being held to bring neighborhood people together for fellowship and community spirit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby thanks the members of the Main Street School Reunion Committee for their efforts to improve their neighborhood; and

BE IT FURTHER RESOLVED the Council commends the principals, teachers and staff members who devoted their skills to quality education of Lansing young people at Main Street School.

By Councilmember Ford:

Carried unanimously; Councilmember Adado absent

Resolution #396
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1962 a small group of people, consisting of mostly family members, began to hold services in the home of Deacon C.J. Johnson. They soon sent out a call for pastor to which the late Bishop C.J. Johnson appointed Elder Willie Wade. It was at this time that New Hope Church of God in Christ was founded; and

WHEREAS, after many years of exceptional growth and moving from various buildings, in 1987 the church purchased approximately three acres of land at Miller and Waverly Road. There, the new church home prospered; and

WHEREAS, on June 10, 1990, the ribbon was cut and the church doors opened to begin again the joyful and exciting services that Pastor Wade has so spiritually guided the people of his congregation,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council congratulates the New Hope Church of God in Christ on their new beginning and wishes them many spiritual and fulfilling years of dedication and service.

By Councilmember Ford:

Carried unanimously; Councilmember Adado absent

Resolution #397
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the National Caucus and Center on Black Aged, Inc. (NCBA) was founded in 1970 to respond to the unique needs of lower income and minority elderly; and

WHEREAS, today NCBA is an interracial membership organization devoted to improving the economic status and quality of life for these older persons, with 34 chapters throughout the United States, of which five are in Michigan; and

WHEREAS, a new chapter of NCBA is being formed in Lansing with a constitution and by-laws that parallel the national organization, concentrating efforts in the areas of housing, career development, legislative advocacy/public policy, and employment; and

WHEREAS, membership in NCBA is open to anyone who shares these interests and a commitment to improving the quality of life for low income and minority older persons, with monthly meetings held at the Lansing Senior Center;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby welcomes the Greater Lansing Chapter of the National Caucus and Center on Black Aged, Inc., to the Capitol City and wishes its members success in attaining their goals.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #398
BY COMMITTEE ON WAYS AND MEANS 7/16/90
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY 91
That the following transfer be approved:

$10,501.00 from Forfeitures Est. Rev.
A/C 265-000000-170001-0
$10,501.00 to Forfeitures Bgt. Ctl.
A/C 265-343253-992200-0
(Radios, chargers, and carrying cases-approved by Ways and Means 7-16 90 (memo account 265-343253-977000 0).

Submitted by:

Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

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ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Resolution congratulating the New Hope Church of God in Christ on their new beginning
(Handled as Resolution #396)

2/ Resolution welcoming the National Caucus and Center on Black Aged, Inc.
(Handled as Resolution #397)

3/ Transfer of Funds for $10,501 for purchase of radios, chargers and carrying cases for Tri-County Metro Governmental Board
(Handled as Resolution #398)

4/ Letter from Evelyn Brayton of 3011 Leon Avenue regarding the proposed cat ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5/ Petition from residents of the 600 block of West Lapeer Street requesting permission to close the block for a neighborhood social on August 7th

REFERRED TO THE MAYOR

6/ Letter from Thomas Burchman of Wolverine Development Corporation requesting an extension of time for payment of special assessment

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MOTION OF EXCUSED ABSENCE

Motion by Councilmember Lindemann:

That Councilmember Adado be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Thomas Washington of MUCC stated that he is having a problem obtaining a building permit from the City for their new building on Michigan Avenue. Councilmember Worthington responded that, what is lacking is the granting of an easement by Kositchek's for pedestrian emergency exit and that this needs to be worked out by MUCC and Kositchek's. Council President Belen stated that this matter will be covered at the Committee on the Whole meeting on Thursday, July 19th.

Howard Soifer, representing Kositchek's, is opposed to the City condemning the private alley which was granted to them via deed.

Frank X of 1137 W. Allegan stated that he felt Councilmembers should help Mr. Washington with his problem.

Howard Jones, Treasurer of Citizens for Public Recycling, stated that Lisa Kapp was at a meeting with the Citizens for Public Recycling in June and that she did not state that there would be any less grant funding to the City of Lansing if proposal 2 were adopted by the voters. Mr. Jones also stated that a group from Citizens for Public Recycling will be going to Madison Heights in the next 10 days to view a public recycling plan and invited Councilmembers along.

Roger Merrill of 1805 Herbert Street is participating in curbside recycling at the present time and heartily supports it. He is, however, concerned about proposal 2 as he feels the City should have the option of selecting the most cost effective method of handling curbside recycling.

Ralph Oberton representing Tiffany Funeral Home asked whether or not they could file certified death copies at the Ingham County Office in Lansing or if they would have to go to Mason. City Clerk James Blair responded that the Lansing Office would receive and certify these copies.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane offered his facilities and assistance to MUCC and Kositchek's if they wish to get together to work out a resolution to the problems raised this evening.

The Mayor also stated that the Fast Trak shuttle is working successfully.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann requested the Administration to check a piece of land between Sparrow Hospital and Eastern High School that has extremely high grass.

Councilmember Schmidt mentioned the dangerous conditions that existed on Jolly Road over the past weekend and stated that she hoped such situations would be avoided in the future by better planning.

Councilmember Benavides stated that he had another late item for consideration. He moved for suspension of the rules to accept a press release submitted by Wendell Frever, President, Supervisors Unit of Lodge 141 of the Fraternal Order of Police.

Carried unanimously; Councilmember Adado absent.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

Councilmember Ford stated that the Intergovernmental Relations Committee meeting has been cancelled and will be rescheduled.

COUNCIL PRESIDENT BELEN:

Council adjourned at 8:55 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, July 23, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
July 23, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

Motion by Councilmember Benavides:

To accept the printed Council proceedings of June 25 and July 2, 1990.

Carried unanimously.

Motion by Councilmember Worthington:

To accept the following under suspension of the rules:

1/ Letter from the City Clerk requesting elimination of barricades on Primary Election Day, August 7, 1990

2/ Letter from the Mayor requesting that Council consider naming the new Aurelius Road Trail Canoe Launch in honor of Valerie and Verlen Kruger

3/ Opinion from City Attorney Al Knot regarding mailing of letter regarding proposal 2 to absentee voters

4/ Letter from Lucile Belen regarding membership of the Recycling Ad Hoc Committee

5/ Letter from Dr. Mitchell Rinek regarding Special Sidewalk Assessment

6/ Petition received from residents of South Rundle Street requesting "SLOW—CHILDREN PLAYING" signs be installed

7/ Letter from Barbara Klein of 1107 Fairway regarding the proposed cat ordinance

8/ Petition from residents in and around the 500 block of W. Genesee and Feris Park requesting enforcement of ordinances relative to drug trafficking, noise, littering, loitering and prostitution

9/ Letter from Suzanne Elms-Barclay of 1628 Lindbergh Drive regarding proposal 1 for parks millage

10/ Letter from Suzanne Elms-Barclay of 1628 Lindbergh Drive requesting speed humps be installed on Lindbergh Drive

Carried unanimously.

Councilmembers welcomed the return of Councilmember Lou Adado by presenting him with a cake. Individuals in the audience also came to the podium to welcome Coucilmember Adado back. Councilmember Adado thanked everyone for their prayers and good wishes during his recent hospital confinement and recuperation.

PUBLIC HEARINGS

A. July 23, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding SLU-6-90—2125 Lyman Drive to expand a residential care facility from six persons to seven persons.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed expansion, they would have the privilege of speaking at this time.

There were no public speakers.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. July 23, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding Z-2-90—1900 Block of North Larch Street and 1800 Block of Thompson Street to be rezoned from "C" Residential, "F" Commercial and "H" Light Industrial Districts to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

Rick Meredith of 1917 Thompson spoke in opposition to the proposed rezoning.

Jay Gupta, petitioner for the rezoning, explained the reasons for his request.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. July 23, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding Z-12-90—2416 North East Street to be rezoned from "B" Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

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D. July 23, 1990, at 7:00 P.M. in the board of Education Meeting Room of the Lansing School Administration Building being the time and place set for a public hearing regarding Z-11-90—3113 North East Street to be rezoned from "A" Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E. July 23, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building being the time and place set as the time for a public hearing regarding Z-1-90 1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed rezoning, they would have the privilege of speaking at this time.

There were no speakers.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Bob Brockwell of 815 Bancroft Court, speaking on behalf of Neighborhood Watch 120, stated that they are in full support of the public nuisance ordinance.

Ruth Hallman of 1014 W. Lapeer stated that she is in support of the public nuisance ordinance.

Al George of 515 N. Butler stated they are still having problems with drug activity in their neighborhood and that he is in full support of both the anti-loitering and the public nuisance ordinances.

Robert Laraway of 617 W. Genesee submitted petitions from residents of his neighborhood and stated that he is in support of the proposed ordinances.

Zolten Ferency, counsel for Citizens for Public Recycling, stated that the group is bringing the mailing of information on proposal 2 by Councilmembers to the attention of State Election Officials.

Ellen Moore of 1620 Osband stated concerns of landlords with the public nuisance ordinance in that eviction takes too long and that she felt some sections of the ordinance discriminated against the landlords.

Rick Meredith of 1917 Thompson asked Councilmembers if landlords have the right to refuse the rental of a unit. City Attorney Al Knot responsed that landlords can refuse to rent based upon conviction records of individuals.

Mark Mitchell of 3164 Alden Drive stated that he is opposed to the public nuisance ordinance.

Phil Alber of 732 W. Genesee stated that most landlords will have no trouble complying with the public nuisance ordinance but there are some landlords who know drug activity is taking place in their rentals and do nothing about it.

SPECIAL CEREMONIES

There were no special ceremonies.

COMMUNICATIONS AND PETITIONS

Motion by Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Notice from State Department of Labor of a Public Hearing on August 8, 1990 regarding Proposed Rules Related to the Registration of Building Officials, Plan Reviewers, and Inspectors

REFERRED TO THE MAYOR

B. Application Received from Himont Advanced Materials, 2727 Alliance Drive, for an Industrial Facilities Exemption Certificate

REFERRED TO THE MAYOR AND THE ECONOMIC DEVELOPMENT COMMITTEE

C. Letter from Donald Hines of Fraser Trebilcock Davis & Foster recommending creation of a five member Committee to be called the "Wastewater System Independent Study Committee"

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd welcomed Councilmember Adado back and briefly reviewed the Mayor's letters D1, D3 and others on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #399
July 23, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Karissia Spohn, Daniel Garcia, David Flores
SIGN ERECTOR: Hoppy's Signs & Service Inc.
CABARET: Silver Dollar Saloon
CLASS C LIQUOR LIC: LHF Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

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By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Clerk.

Carried unanimously.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 16, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Bylaws and Rules of Procedure for the Mechanical Board submitted by James W. Kzeski, Director of Building Safety

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1.
Resolution #400
July 19, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

I herewith submit for your consideration the appointment of Kevin McKinney and the reappointment of Douglas Griffiths as EDC Temporary Directors for the Cooley Law School Expansion Project.

Your confirmation of these appointments will be appreciated.

Sincerely,
Terry J. McKane, Mayor

c: Emerson Ohl

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously.

2. User Fee Study prepared by David M. Griffith and Associates

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Homestead Purchase for 1220 Prospect

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Adoption of the 1990 Edition of the National Electric Code

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5. Letter of Appreciation from the Lansing Mini Grand Prix Race Committee and Arthritis Foundation

RECEIVED AND PLACED ON FILE

6. Barricade Report—Vivian Riddle Area

RECEIVED AND PLACED ON FILE

7.
Resolution #401
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, illegal drug activity and related crime are detrimental to the public health, safety and welfare, and contrary to law; and

WHEREAS, based on information from the Uniform and Criminal Intelligence Divisions of the Lansing Police Department, along with information from residents in the area bounded by the Grand Trunk Railroad tracks on the north; Pennsylvania on the east; Mt. Hope on the south; and Washington on the west, has been exposed to a high incidence of illegal drug activity and related crime; and

WHEREAS, the City Council had determined that closing streets to all but local traffic has the effect of deterring and decreasing the incidence of illegal drug activity and related crime;

NOW, THEREFORE, BE IT RESOLVED, pursuant to section 2.51 (2) of the Traffic Code, the City Council hereby authorizes the closure of streets within the area bounded by the railroad tracks on the north; Pennsylvania on the east; Mt. Hope on the south; and Washington on the west, to all but local traffic, and authorizes the establishment of appropriate barricades and signs to indicate such closure.

BE IT FURTHER RESOLVED the Mayor is authorized to determine which portions shall be barricaded at any one time; and

BE IT FINALLY RESOLVED that the closure pursuant hereto shall be for a period not exceeding ninety (90) days. However, the administration is authorized to terminate such closure sooner, and/or to reinstitute such closure for the balance of the ninety (90) day period, as the incidence of crime might warrant.

By Councilmember Lindemann:

Carried unanimously

8.
Resolution #402
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: July 16, 1990
SUBJ: Trash Violation Fee (V-21)—$1,353.62

The attached assessment fees for removal of trash and debris in the R.O.W. are being submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Carried unanimously

9.
Request for a Public Hearing for Make-safe or Demolish of Properties located at 1306 Ada (Garage only), 814 Max Avenue, 215 East South Street, 2602 Fielding Drive and 1011 Clear Street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

10. SLU-7-90—1507 Jerome Street to Request an Increase from six beds to seven beds for an Adult Foster Care Facility

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

11. P-1-88—Bel-Air Meadows 12 Final Plat Recertification

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

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12. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

Z-5-90 July 19, 1990
324 North Pine Street
COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-5-90—324 North Pine Street to be rezoned from "DM-3" Residential District to
"D-2" Residential Office District

REPORTS AS FOLLOWS: That proposed rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Adado, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Z-8-90 July 19, 1990
215-219 West Lapeer Street

COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-8-90—215-219 West Lapeer Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District

REPORTS AS FOLLOWS: That the proposed rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

ACT-15-90 July 19, 1990
Sale of Land Adjacent to and East of 1225 East Main Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the sale of property east and adjacent to 1225 East Main Street.

REPORT AS FOLLOWS:

That the sale of the property be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

RESOLUTIONS

Resolution #403
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF rHs CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 836 East Shiawassee, legally described as:

3301 15 152 281

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 22, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 18, 1990 to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution June 23, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall

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be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously

Resolution #404
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1122 West Allegan, legally described as:

3301 17 401 241

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 24, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 18, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty-five (25) days from the date of this resolution June 23, 1990; and

BE IT FURTHER RESOLVED, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously

Resolution #405
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 1011 Clear to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on July 30, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 1011 Clear; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Lindemann:

Carried unanimously.

Resolution #406
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 2602 Fielding to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on July 30, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 2602 Fielding; and

BE IT FURTHER RESOLVED the Council requests that the Director

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of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Lindemann:

Carried unanimously

Resolution #407
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 215 E. South St. to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on July 30, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 215 E. South St.; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Lindemann:

Carried unanimously

Resolution #408
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 814 Max to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on July 30, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 814 Max; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Lindemann:

Carried unanimously

Resolution #409
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 1306 Ada (Garage Only) to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on July 30, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 1306 Ada (Garage Only): and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Lindemann:

Carried unanimously

Resolution #410
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during its deliberations on the Fiscal Year 1990-1991 Sewage Treatment Rates, the Committee on Physical Development was presented with the concept of appointing an independent committee to review the operations of the Wastewater Treatment System; and

WHEREAS, the Committee held discussion on this concept in abeyance, pending the ratification of revised sewage treatment rates; and

WHEREAS, the Committee has now reviewed the concept of creating an independent study committee and now recommends the creation of such a committee to the full Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby creates a six-member Wastewater System Independent Study Committee for the purpose of evaluating the operations of the Wastewater Treatment System with the goal of identifying and recommending cost reduction measures, which will assist in offsetting future rate increases; and

BE IT FURTHER RESOLVED that the City Council President is authorized to appoint the members of this Board as follows:

1. Two from the Lansing Industrial Council,
2. Two from the Public Service Advisory Board,
3. Two At-Large Lansing Residents; and

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BE IT FINALLY RESOLVED that the Public Service Director is appointed to serve on the Wastewater System Independent Study Committee as an ex-officio member.

By Councilmember Worthington:

To amend the resolution by stating that "the Mayor is requested to appoint the Public Service Director"

Carried unanimously

By Councilmember Worthington:

To adopt the amended resolution.

Carried unanimously

Resolution #411
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT
June 28, 1990
Act-15-90
Main Street Right-of-Way

WHEREAS the City of Lansing redesigned and constructed a new East Main Street and reconstructed the Holmes/Main Street intersection which included land acquisition, and

WHEREAS Ms. Virginia Grow, owner of 1225 East Main Street, requested to purchase a portion of the excess land which is immediately adjacent on the east side of her property, and

WHEREAS the Planning Board has reviewed this request under the provisions of Act 285 of Michigan Public Acts of 1931 and found that the City has no future need for the parcel and recommends that the parcel be sold to Ms. Grow subject to the following requirements:

1. Appropriate setbacks be maintained for drives or construction.

2. No vehicles or plantings be permitted on the northmost 25 feet in order to maintain clear sight distances for motorists at the intersection of Holmes and Main.

3. That the property be landscaped.

4. That an independent fee appraisal be obtained for establishing fair market value, and a legal description for the parcel to be sold provided by the Public Service Department; and

WHEREAS the City Council Committee on Physical Development concurs with the recommendations of the Planning Board;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approves the sale of the property described as:

The part of Lot 62, Manufacturer's Addition to the City of Lansing, Ingham County, Michigan described as follows:

Commencing at the Southwest corner of said Lot 62, thence N00°50'05"E, along the West lot line, 116 25 feet; thence S45°12'35"E, 15.42 feet; thence S06°30'35 E, 105.81 feet; thence N89°25'10"W, along the south lot line, 24.63 feet to the Point of Beginning.

By Councilmember Worthington:

Carried unanimously

Resolution #412

BY COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, City Council has adopted an ordinance which provides for the boarding up of drug houses and/or the imposition of costs of drug raids or the drug houses; and

WHEREAS, in most instances landlords in Lansing have been cooperative in working with the Police Department to curb the use of sale of drug and/or drug paraphernalia in their rental properties.

NOW, THEREFORE, BE IT RESOLVED that it is the policy of the City not to enforce Chapter 623 of the Lansing Code of Ordinance against those landlords who are cooperative and assist the Police Department in curbing the sale and/or use of controlled substances and/or drug paraphernalia in their rental properties.

By Councilmember Crawford:

Carried unanimously

Resolution #413
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT Councilmember Alfreda Schmidt is hereby designated the official representative (delegate) at the Annual Business Meeting of the Michgan Municipal League September 12-14, 1990; and Councilmember Patrick Lindemann will serve as the Alternate.

By Councilmember Ford:

Carried unanimously

Resolution #414
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan

Dear Councilmembers:

As you know, the primary election will be held on Tuesday, August 7, 1990. I am requesting City Council to remove all barricades from 6:00 A.M. until 10:00 P.M. on that date so that citizens are not hampering in exercising their right to vote. Some of the barricades are located in or near voting precincts.

Sincerely,
James D. Blair, City Clerk

By Councilmember Worthington:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Clerk.

Carried unanimously.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the

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revision of the district maps adopted by Section 1246.02 of the code for property located at Z-5-90—324 North Pine Street to be rezoned from "DM-3" Residential District to "D-2" Residential/Office District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-5-90—324 North Pine Street to be rezoned from "DM-3" Residential District to "D-2" Residential/Office District be now passed.

YEAS: Adado, Belen, Benavides, Ford, Crawford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

ORDINANCE #2317
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-5-90, 324 North Pine Street
Parcel Number: 3301-16-153-011
Legal Description: The west 85 feet of the south 3 rods of Lot 11, Block 87, Original Plat, City of Lansing, Ingham County, Michigan
From "DM-3" Residential District to "D-2" Residential/Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-8-90—215/219 West Lapeer Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-8-90—215/219 West Lapeer Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District be now passed.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindmann, Schmidt, Worthington

NAYS: None

ABSENT: None

ORDINANCE #2318
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-8-90, 215/219 West Lapeer Street
Parcel Number: 3301-16-130-102
Legal Description: 215 West Lapeer Street—The east 2½ rods of the north 36 feet of Lot No. 11, Block 70 and the east 2½ rods of Lot 12, Block 70, Original Plat, City of Lansing, Ingham County, Michigan.

219 West Lapeer Street—The west 2½ rods of the east 5 rods of Lot 12, Block 70, Original Plat, City of Lansing, Ingham County, Michigan.

From "DM-3" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Crawford

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 622 of Part 6 to add a new section 622.04 for the purpose of prohibiting an individual from knowingly loitering in any place where controlled substances or

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drug paraphernalia is used, sold, dispensed, furnished, given away or stored be placed on order of immediate passage.

BY COUNCILMEMBER Crawford

That this be considered as being read in its entirety.

BY COUNCILMEMBER Crawford

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 622 of Part 6 to add a new section 622.04 for the purpose of prohibiting an individual from knowingly loitering in any place where controlled substances or drug paraphernalia is used, sold, dispensed, furnished, given away or stored be now passed.

By Councilmember Crawford:

To substitute a revised ordinance

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

By Councilmember Crawford:

To adopt substitute ordinance

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

By Councilmember Schmidt:

That the substitute ordinance adopted be given immediate effect

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

Ordinance #819
An ordinance to amend chapter 622 of part 6 of the Code of Ordinances of the City of Lansing by adding a new Section 622.04 for the purpose of prohibiting an individual from knowingly loitering in any place where controlled substances or drug paraphernalia are illegally used, sold, dispensed, furnished, given away or stored.

The City of Lansing ordains:

Section 1. Section 662.04 is added to the Lansing Code of Ordinances to read as follows:

SECTION 622.04 KNOWINGLY LOITERING IN PLACES WHERE CONTROLLED SUBSTANCES OR GRUG PARAPHERNALIA IS SOLD, USED, DISPENSED, FURNISHED, GIVEN AWAY OR STORED; UNLAWFUL.

A. NO PERSON SHALL KNOWINGLY LOITER ABOUT ANY BUILDING, HOUSE, VACANT LOT, STREET, CURBLAWN, ALLEY, YARD, APARTMENT, STORE, AUTOMOBILE, BOAT, BOATHOUSE, AIRPLANE, OR OTHER PLACE WHERE CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA ARE ILLEGALLY SOLD, USED, DISPENSED, FURNISHED, GIVEN AWAY OR STORED.

B. "CONTROLLED SUBSTANCE" SHALL BE DEFINED AS IT IS IN THE CONTROLLED SUBSTANCES ACT OF THE STATE OF MICHIGAN, MCL 333.7101, ET SEQ., AS AMENDED.

C. "DRUG PARAPHERNALIA" MEANS ANY ITEM AS DEFINED IN SECTION 622.01 OF THE LANSING CODE OF ORDINANCES.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect by City Council.

James D. Blair, City Clerk
Lansing, MI

BY COUNCILMEMBER Crawford:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Part 6 to add a new Chapter 623, for the purpose of declaring structures where prostitution occurs and/or where drugs and/or drug paraphernalia are found to be a public nuisance be placed on order of immediate passage.

BY COUNCILMEMBER Crawford:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Crawford:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Part 6 to add a new Chapter 623, for the purpose of declaring structures where prostitution occurs and/or where drugs and/or drug paraphernalia are found to be a public nuisance be now passed.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

By Councilmember Schmidt:

That this ordinance be given immediate effect

YEAS: Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: None

ORDINANCE #820
AN ORDINANCE TO AMEND PART 6 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW

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CHAPTER 623, FOR THE PURPOSE OF DECLARING STRUCTURES WHERE PROSTITUTION OCCURS AND/OR WHERE DRUGS AND/OR DRUG PARAPHERNALIA ARE FOUND TO BE PUBLIC NUISANCE.

The City of Lansing ordains:

Section 1. Chapter 623 is added to the Lansing Code of Ordinances to read as follows:

SECTION 623.01 DEFINITIONS
FOR PURPOSES OF THE CHAPTER THE FOLLOWING TERMS SHALL MEAN:

A. "OWNER" MEANS ANY PERSON WHO POSSESSES OR HAS ANY LEGAL AND/OR EQUITABLE INTEREST IN THE PROPERTY.

B. "PROPERTY" MEANS ANY STRUCTURE, HOUSE, BUILDING, PREMISES OR ANY PART THEREOF.

SECTION 623.02 PURPOSE, FINDINGS, CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA USE, PUBLIC NUISANCE

THE CITY DETERMINES THAT WHENEVER THE REPEATED USE, SALE, FURNISHING, GIVING OR POSSESSION OR CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA OCCURS IN ANY PROPERTY, INCREASED CRIMINAL ACTIVITY OCCURS IN THE NEIGHBORHOOD SURROUNDING THE PROPERTY INCREASED PEDESTRIAN AND/OR VEHICULAR TRAFFIC OCCURS IN THE NEIGHBORHOOD SURROUNDING THE PROPERTY AND THE PEACE AND QUIET OF RESIDENTS LIVING IN THE NEIGHBORHOOD SURROUNDING THE PROPERTY IS DISTURBED, THEREBY CREATING A PUBLIC NUISANCE.

SECTION 623.03 USE OF CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA; PUBLIC NUISANCE

A. WHENEVER THE USE, SALE, FURNISHING, GIVING OR POSSESSION OF CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA OCCURS IN ANY PROPERTY THE CITY COUNCIL MAY DECLARE BY RESOLUTION THAT THE PROPERTY, AFTER NOTICE TO THE OWNER, A PUBLIC HEARING, AND A RECOMMENDATION FROM THE APPROPRIATE COMMITTEE, IS A PUBLIC NUISANCE.

B. NOTICE TO THE OWNER OF THE PUBLIC HEARING SHALL CONSIST OF A PERSONAL SERVICE OR MAINING A CERTIFIED LETTER TO THE TAXPAYER OF RECORD AS INDICATED IN THE BUILDING SAFETY DIVISION IN THE CASE OF A RENTAL UNIT, OR THE CITY ASSESSOR'S OFFICE IN THE CASE OF AN OWNER OCCUPIED DWELLING AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY. NOTICE TO THE OWNER SHALL OCCUR AT LEAST SEVEN (7) CALENDAR DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING.

SECTION 623.04 PUBLIC NUISANCE; ABATEMENT; COSTS

IF CITY COUNCIL DETERMINES THAT A PROPERTY IS A PUBLIC NUISANCE, IN ADDITION TO ANY OTHER REMEDIES AVAILABLE TO THE CITY IN LAW OR EQUITY, THE CITY COUNCIL BY RESOLUTION MAY AUTHORIZE:

A. THE BUILDING SAFETY DIVISION TO PROHIBIT THE OCCUPANCY OF THE PROPERTY BY EITHER PADLOCKING A PORTION OF THE PROPERTY OR BOARDING THE PROPERTY UP, WHICHEVER IS APPROPRIATE, FOR A PERIOD OF UP TO ONE (1) YEAR FROM THE DATE COUNCIL ADOPTED THE RESOLUTION; AND/OR

B. DETERMINE THAT THE OWNER SHALL BE LIABLE FOR THE FULL COST OF ANY PERSONNEL (INCLUDING POLICE OFFICER AND CODE-COMPLIANCE OFFICERS) INVOLVED IN EACH RAID SUBSEQUENT TO THE FIRST RAID AND ASSESS THE COST AGAINST THE PROPERTY.

SECTION 623.05 PERSUASIVE PRESUMPTION; PUBLIC NUISANCE

A. IT SHALL BE A PERSUASIVE PRESUMPTION THAT A PROPERTY IS A PUBLIC NUISANCE IF:

(1) THE PROPERTY HAS BEEN RAIDED BY THE POLICE AND CONTROLLED SUBSTANCES AND/OR DRUG PARAPHERNALIA IS FOUND BY THE POLICE; AND

(2) A LETTER INFORMING THE OWNER THAT CONTROLLED SUBSTANCE AND/OR DRUG PARAPHERNALIA HAS BEEN FOUND BY THE POLICE AT THE PROPERTY AND THE POTENTIAL CONSEQUENCES, IF A SIMILAR ACTIVITY OCCURS AT THE PROPERTY, HAS BEEN:

(i) PERSONALLY SERVED ON THE OWNER; OR

(ii) SENT BY CERTIFIED MAIL TO THE TAXPAYER OF RECORD AS INDICATED IN THE BUILDING SAFETY DIVISION IN THE CASE OF A RENTAL DWELLING, AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY; OR

(iii) SENT BY CERTIFIED MAIL TO THE TAXPAYER OF RECORD AS INDICATED IN THE CITY ASSESSOR'S OFFICE IN THE CASE OF AN OWNER OCCUPIED DWELLING, AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY; AND

(3) THE SAME PROPERTY IS RAIDED BY THE POLICE AGAIN WITHIN SIX (6) MONTHS FROM THE DATE OF THE FIRST RAID AND CONTROLLED SUBSTANCES AND/OR DRUG PARAPHERNALIA IS FOUND IN THE RAID BY THE POLICE.

SECTION 623.06 PURPOSE, FINDINGS, ADMITTING TO THE PURPOSE OF PROSTITUTION

THE CITY DETERMINES THAT WHENEVER PERSONS ARE REPEATEDLY ADMITTED INTO A PROPERTY FOR THE PURPOSE OF PROSTITUTION, THEN INCREASED CRIMINAL ACTIVITY OCCURS IN THE NEIGHBORHOOD SURROUNDING THE PROPERTY, INCREASED PEDESTRIAN AND/OR VEHICULAR TRAFFIC OCCURS IN THE NEIGHBORHOOD SURROUNDING THE PROPERTY AND THE PEACE AND QUIET OF RESIDENTS LIVING IN THE NEIGHBORHOOD SURROUNDING THE PROPERTY IS DISTURBED THEREBY CREATING A PUBLIC NUISANCE.

SECTION 623.09 PERSUASIVE PRESUMPTION, PUBLIC NUISANCE

IT SHALL BE A PERSUASIVE PRESUMPTION THAT A PROPERTY IS A PUBLIC NUISANCE IF:

A. A PERSON HAS BEEN ADMITTED INTO THE PROPERTY FOR

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THE PURPOSE OF PROSTITUTION AND HAS BEEN ARRESTED; AND

B. A LETTER INFORMING THE OWNER THAT A PERSON HAS BEEN ADMITTED IN THE PROPERTY FOR THE PURPOSES OF PROSTITUTION AND ARRESTED BY THE POLICE AND THE POTENTIAL CONSEQUENCES, IF SIMILAR ACTIVITY CONTINUES TO OCCUR AT THE PROPERTY, HAS BEEN:

(1) EITHER PERSONALLY SERVED ON THE OWNER; OR

(2) SENT BY CERTIFIED MAIL TO THE TAXPAYER OR RECORD AS INDICATED IN THE BUILDING SAFETY DIVISION IN THE CASE OF A RENTAL UNIT AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY; OR

(3) SENT BY CERTIFIED MAIL TO THE TAXPAYER OF RECORD AS INDICATED IN THE CITY ASSESSOR'S OFFICE IN THE CASE OF AN OWNER OCCUPIED DWELLING, AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY; AND

(C) A PERSON HAS BEEN ADMITTED INTO THE SAME PROPERTY FOR THE PURPOSE OF PROSTITUTION AND HAS BEEN ARRESTED WITHIN SIX (6) MONTHS FROM THE DATE OF THE FIRST ARREST.

SECTION 623.07 ADMITTING FOR PURPOSES OF PROSTITUTION; PUBLIC NUISANCE

A. WHENEVER A PERSON IS ADMITTED INTO A PROPERTY FOR THE PURPOSE OF PROSTITUTION, THE CITY COUNCIL MAY DECLARE BY RESOLUTION THE PROPERTY, AFTER NOTICE TO THE OWNER AND A PUBLIC HEARING, A PUBLIC NUISANCE.

B. NOTICE TO THE OWNER OF THE PUBLIC HEARING SHALL CONSIST OF PERSONAL SERVICE ON THE OWNER OR MAILING A CERTIFIED LETTER TO THE TAXPAYER OF RECORD AS INDICATED IN THE BUILDING SAFETY DIVISION CASE OF A RENTAL UNIT, OR THE CITY ASSESSOR'S OFFICE IN THE CASE OF OWNER OCCUPIED DWELLING AND A RETURN RECEIPT CARD OF A OWNER OCCUPIED DWELLING AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY. NOTICE TO THE OWNER SHALL OCCUR AT LEAST SEVEN (7) CALENDAR DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING.

SECTION 623.08 PUBLIC NUISANCE; ABATEMENT

IF CITY COUNCIL DETERMINES THAT A PROPERTY IS A PUBLIC NUISANCE, IN ADDITION TO ANY OTHER REMEDIES AVAILABLE TO THE CITY IN LAW AND EQUITY, THE CITY COUNCIL BY RESOLUTION MAY AUTHORIZE THE BUILDING SAFETY DIVISION TO PROHIBIT THE OCCUPANCY OF THE PROPERTY BY PADLOCKING A PORTION OF THE PROPERTY OR BOARDING THE PROPERTY UP, WHICHEVER IS APPROPRIATE FOR A PERIOD OF UP TO ONE (1) YEAR FROM THE DATE COUNCIL ADOPTED THE RESOLUTION.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect by City Council.

James D. Blair, City Clerk
Lansing, MI

CONSIDERATION OF LATE ITEMS

1/ Letter from the City Clerk requesting elimination of barricades on Primary Election Day, August 7, 1990
(Handled as Resolution # 414)

2/ Letter from the Mayor requesting that Council consider naming the new Aurelius Road Trail Canoe Launch in honor of Valerie and Verlen Kruger

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3/ Opinion from City Attorney Al Knot regarding mailing of letter regarding proposal 2 to absentee voters

RECEIVED AND PLACED ON FILE

4/ Letter from Lucile Belen regarding membership of the Recycling Ad Hoc Committee

RECEIVED AND PLACED ON FILE

5/ Letter from Dr. Mitchell Rinek regarding Special Sidewalk Assessment

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

6/ Petition received from residents of South Rundle Street requesting "SLOW—CHILDREN PLAYING" signs be installed

REFERRED TO THE MAYOR

7/ Letter from Barbara Klein of 1107 Fairway regarding the proposed cat ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8/ Petition from residents in and around the 500 block of W. Genesee and Feris Park requesting enforcement of ordinances relative to drug trafficking, noise, littering, loitering and prostitution

REFERRED TO THE MAYOR

9/ Letter from Suzanne Elms-Barclay of 1628 Lindbergh Drive regarding proposal I for parks millage

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10/ Letter from Suzanne Elms-Barclay of 1628 Lindbergh Drive requesting speed humps be installed on Lindbergh Drive

REFERRED TO THE MAYOR

PUBLIC COMMENTS

Gladys Gilson of 223 W. Barnes stated that she does not agree with all of the items in proposal I for parks; she feels that more monies should be expended for childrens' playgrounds and not so much for Potter Park Zoo.

Howard Jones of Citizens for Public Recycling spoke regarding proposal 2 and requested Councilmember Lindemann give his reasons why he did not sign the letter mailed to absentee voters.

Ellen Moore of 1620 Osband stated that landlords will cooperate with the City in the enforcement of the newly-passed public nuisance ordinance.

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Mary Margaret Woll of 210 Ferguson spoke regarding proposal I for parks.

Homer Smith stated that landlords would appreciate all the cooperation they can receive from the City.

Frank X of 1137 W. Allegan stated that he was very upset with the Board of Water and Light cutting off service and that he is going to have to start killing people if something doesn't happen soon.

Thomas Patrick of 1320 W. St. Joseph asked questions regarding the anti-loitering ordinance and stated that he hoped police did not abuse the new powers given to them.

Carol Thomas of 4708 Ingham Street stated that she was also unhappy about the situation described by Frank X relative to the cutting off of service by the Board of Water & Light.

Gary Andrews of 560 Brooklyn stated that he hoped there are plans to clear the drains in his area before winter. The drains and being clogged with mud and sand from all the construction that is occurring on Cedar Street. He also asked the City Attorney for information on how a new Councilmember would be selected if Sid Worthington resigns.

Marilyn Shapiro of 223 N. Foster spoke regarding proposal 2 on recycling and provided a copy of her comments.

Zolton Ferency, representing Citizens for Public Recycling, stated that the eligibility of the City for the Clean Michigan Air grant will not be jeopardized by the vote either way on proposal 2 on the August primary ballot.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd stated that Lansing Police Department Sergeant John Parks is recovering following extensive surgery and will be included in everyone's thoughts and prayers.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann mentioned a hayride that will be held on July 28, 1990 at 6:00 P.M. sponsored by Sparrow Estates.

Councilmember Schmidt stated that she would like the administration to look into a request for a left turn light at the intersection of Mt. Hope and Cedar Street.

Councilmember Benavides stated that twelve residents of the Miller Road area are very upset with the curb and gutter improvements made in that area. The residents were promised that work would be done which has not been done. Mr. Severy responded that the department would restore the area to the condition it was prior to the improvements. Councilmember Benavides requested a status report on this issue from Mr. Severy.

Councilmember Ford requested the administration check out problems with trees at 1118 W. Michigan Avenue and 937 Durant.

Councilmember Worthington mentioned newspaper coverage reporting that he would be resigning in September. He stated that he has been accepted for studies in England but that plans are not complete as yet.

Councilmember Adado thanked his family, doctor, hospital and others for their assistance during his recent hospitalization. He also stated that he feels the estimates provided by the Public Service Department on the costs for public recycling are too high.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 10:15 P.M.

James D. Blair, City Clerk
Lansing, Michigan

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THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 30, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
July 30, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

By Councilmember Ford:

To accept the following under suspension of the rules:

1/ Letter from Kenneth Stockwell regarding development of the Oliver Tower Site

2/ Information submitted in support of the Public Hearing regarding the Church of the Resurrection Ox Roast Festival received from:

-Festival Committee
-Eastside Neighborhood Association

3/ Letter from Thomas Burchman of Wolverine Development Corporation requesting extension of timeframe for payment of assessment and a Committee Report from the Committee on Ways and Means requesting referral to other areas

4/ A resolution regarding the naming of the Canoe Landing at the intersection of Aurelius Road and the Red Cedar River

5/ A resolution approving the agreement between the City of Lansing and the International Association of Fire Fighters, Local 421

Carried unanimously.

PUBLIC HEARINGS

A. Make-safe or Demolish Property Located at 1011 Clear Street

There were no public speakers.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B.Make-safe or Demolish Property Located at 2602 Fielding Drive

There were no public speakers.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Make-safe or Demolish Property Located at 215 E. South Street

There were no public speakers.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Make-safe or Demolish Property Located at 814 Max Avenue

Ken Ashbrook of 1632 W. Herbison in Dewitt, owner of the property at 814 Max Avenue, stated that he is making repairs to the property and that he has pulled building permits.

Councilmember Lindemann requested that Mr. Ashbrook attend the Committee on Public Services meeting on Wednesday, August 1, 1990, at 3:30 P.M. when this matter will be discussed.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. Make-safe or Demolish Property Located at 1306 Ada (Garage Only)

There were no public speakers.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. Assessment Roll #320 for Storm Sewer, Curb & Gutter for Project PS #64119

Kenneth Wallace of 1802 Indiana spoke in support of the project.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

G. Transfer of a Commercial Facilities Exemption Certificate to Ronald R. Jones, Sr. and Kathleen A. Jones from Ted L. Friedinger

There were no public speakers.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

H. Waiver of the Noise Ordinance for the 56th Annual Ox Roast and Festival of the Church of the Resurrection

Jane West of 134 N. Magnolia, Chairperson for the Ox Roast, explained the purpose of the event and that several meetings had been held with neighbors in the area to work out any problems.

REFERRED TO THE MAYOR

I. Waiver of the Noise Ordinance for an Outdoor Wooden Patio Deck for Bootleggers

Benjamin Sleet of 5831 Richwood stated that he was opposed to the granting of the waiver as he already felt noise levels are too high at Bootleggers.

Joseph Ascione of 5910 South Pennsylvania, President of Driftwood, Inc. and owner of Bootleggers, stated that the proposed deck would be totally enclosed and accessible only from inside Bootleggers and that there would be no music provided on the deck. He requested the support of Councilmembers so that he can keep up with competition which has outdoor decks provided.

Russ Rotta who resides behind Bootleggers stated that the noise is

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already excessive from Bootleggers and that he does not want the waiver to be granted.

Councilmember Crawford stated that the Committee on Public Safety will be meeting on Thursday, August 2, 1990, at 2:30 P.M. in the 8th Floor Conference Room to discuss this matter.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENTS

There were no public comments.

SPECIAL CEREMONIES

Under suspension of the rules, Councilmember Lindemann moved to discharge the Committee Report pertaining to the naming of the Red Cedar River Canoe Livery.

Carried unanimously.

Councilmember Lindemann then moved for approval of a resolution naming the Red Cedar River Canoe Livery in honor of Valerie and Verlen Kruger. (See Resolution #423)

Councilmember Lindemann then introduced Valerie and Verlen Kruger who outlined plans for Grand River Expedition '90.

Councilmember Benavides then moved for approval of resolution XII-B2 on the agenda to provide $7,000.00 in support of Grand River Expedition '90 (See Resolution #419).

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Letter from Scott M. Merritt, President of Merritt Press, Inc. requesting an extension of their assessment under the Aurelius Road Reconstruction, PS #87063

REFERRED TO THE MAYOR, CITY ATTORNEY, AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Z-15-90—2535 E. Mt. Hope Avenue to be rezoned from "R-1" District to "D-1" District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letters received regarding the proposed Cat Ordinance from:

-Sue Oliver of 3920 Hunters Ridge #3
-Ruth A. Hawkins of 1017 Hapeman
-Wendy Stinchwhink of 3611 Homewood
-Herbert and Margaret Hamilton of 1417 Corbett

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Letter from Eugenia Lakes of 1401 W. Holmes Road regarding Proposal #2 on the August ballot

RECEIVED AND PLACED ON FILE

E. SLU-11-90—3400 Turner Street (vacant land) to construct a Church with 75 Seats and Make Site Improvements

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Notice received from the State Department of Social Services of the Issuance of a License for an Adult Foster Care Small Group Home at 6048 Loretta

REFERRED TO THE MAYOR

G. Petition received from residents of New York Street regarding property located at 1411 New York

REFERRED TO THE MAYOR

H. Notice of a Public Hearing set for August 7, 1990, regarding AT&T's Proposed Tariff Charges received from the Public Service Commission

RECEIVED AND PLACED ON FILE

I. Letter from Jaime Lerma of 814 Comfort Street protesting Special Assessment #PS 25062

REFERRED TO THE CITY ATTORNEY

MAYOR OR EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd had no comments.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #415
July 30, 1990 President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Ronald Eugene Darnell
CABARET: Omar's
SECOND HAND DEALER: Roger Theodore Wilcox

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 23, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Transfer of Commercial Facilities Exemption Certificate to Ronald R. and Kathleen Jones from Ted Friedinger for 3808 South Cedar Street

REFERRED TO THE
ECONOMIC DEVELOPMENT COMMITTEE

2. Public Improvement V—Mall Maintenance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. Fire Fighter Contract Extension 1990-1993 recommended for Ratification

REFERRED TO THE COMMITTEE OF THE WHOLE

4. Barricade Report—Vivian Riddle Area

RECEIVED AND PLACED ON FILE

5. Barricade Extension Recommendation—Vivian Riddle Area

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

There were no Committee Reports on the Agenda. See CONSIDERATION OF LATE ITEMS for a Committee Report submitted under suspension of the rules.

RESOLUTIONS

Resolution #416
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District on property at 2800-3700 Collins Road, more fully described on Attachment A; and

WHEREAS, Himont Advanced Materials has applied for an Industrial Facilities Exemption Certificate for the construction of a new facility at 2727 Alliance Drive, more fully described on Attachment B; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Himont Advanced Materials application for an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District; and

BE IT FINALLY RESOLVED that such hearing shall be held in the Board of Education Meeting Room at the Lansing School District Administration Building on Monday, August 13, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Adado:

Carried unanimously

Resolution #417
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, on October 22, 1979 the Lansing City Council issued a Commercial Facilities Exemption Certificate (CRD-7-79) to Altman Brothers Co. for a renovated facility at 333 S. Capitol Avenue; and

WHEREAS, Thomas M. Cooley Law School has applied for the transfer of this Commercial Facilities Exemption; and

WHEREAS, a hearing was held on Cooley Law School's application for an Exemption Certificate transfer on July 16, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Thomas M. Cooley Law School has met or will meet the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate for a renovated facility in Lansing Commercial Redevelopment District CRD-7-79, to Thomas M. Cooley Law School.

By Councilmember Adado:

That this resolution be considered as read in its entirety.

Carried unanimously.

By Councilmember Adado:

That this resolution be approved.

Carried unanimously

Resolution #418
LANSING CITY COUNCIL

RESOLUTION APPROVING AMENDED PROJECT AREA, AND ESTABLISHING AMENDED PROJECT DISTRICT AREA

WHEREAS, the Economic Development Corporations Act, Public Act. No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the continuing need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises to strengthen and revitalize the economy, to encourage and assist the location and expansion of industrial and commercial enterprises to more conveniently provide needed services and facilities to the State, the City of Lansing, and the residents thereof, to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

WHEREAS, the Act provides a means by which these needs may be addressed; and

WHEREAS, Thomas M. Cooley Law School has previously notified The Economic Development Corporation of the City of Lansing (the "Issuer") of a project that would assist in the alleviation of the aforementioned conditions; and

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WHEREAS, Thomas M. Cooley Law School has recently submitted a supplemental to the Issuer proposal to expand the initial project; and

WHEREAS, the Issuer, in conformity with the Act, has designated an amended Project Area and amended Project District Area for its Project to this City Council for its approval thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THIS CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. The following amended Project Area, as designated by the Issuer is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated amended Project Area will not be significantly affected by the Project and, therefore, an amended Project District Area having the same description as the amended Project Area is hereby established.

3. Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required and, therefore, the Project Citizens District Council shall not be formed.

4. The reappointment of Douglas Griffith and the appointment of Kevin McKinney as additional directors to the Board of Directors of the Issuer pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and the business interests likely to be affected by the Project, is hereby confirmed and

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

By Councilmember Adado:

That this resolution be considered as read in its entirety.

Carried unanimously.

By Councilmember Adado:

That this resolution be adopted.

Carried unanimously.

EXHIBIT A

Land located in the City of Lansing, Ingham County, Michigan, described as follows:

Town Center Building

Parcel No. I
The West 159 feet of Lot No. 7; the West 159 feet of Lot No. 8; that part of Lot No. 9 described as beginning at a point 9 feet West of the Northeast corner of said Lot No. 9; thence West 156 feet, thence South 66 feet, thence East 159 feet, thence North 44 feet, thence Northwesterly to the point of beginning; that part of Lot No. 10 described as commencing at the Southwest corner of said Lot 10, thence East on South line of Lot 10 a distance of 156 feet to the public alley, thence Northwesterly along West line of said alley to a point 22 feet North of South line of Lot 10 and 12 feet West of the East line of Lot 10, thence due North 44 feet to the North line of Lot 10, thence West on North line of Lot 10 to the Northwest corner thereof, thence South on the West line of Lot 10 to the point of beginning; all in Block No. 128, Original Plat, City of Lansing, Ingham County, Michigan.

Parcel No. II
Commencing at the Southwest corner of Lot 11, Block 128, Original Plat, City of Lansing, thence East 88.0 feet; thence North 24.0 feet; thence West 88.0 feet; thence South 24.0 feet to the point of beginning, except the North 2.0 feet thereof.

Existing Library

The South 22 feet of the East 159 feet of Lot 5 and the East 159 feet of Lot 6, Block 12B, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 2, Pages 36, 37, and 38 of Plats, in the office of the Register of Deeds, for Ingham County, Michigan.

Resolution #419
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Grand River Expedition '90, a "traveling riverfest" designed to foster awareness and responsibility of the Grand River, has requested financial support from the City of Lansing; and

WHEREAS, a portion of the funds allocated will be used to place a Michigan Historical Marker in Riverfront Park commemorating the expedition, with the remaining funds used to defray the costs of creating a 1990 Grand River data base, including water quality and recreational considerations; and

WHEREAS, as a financial supporter, the City of Lansing and the Capital City Riverfest will be prominently recognized and actively promoted,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby authorizes the expenditure of seven thousand dollars ($7,000.00) from the City Special Expense Account in support of Grand River Expedition '90 for the purposes described.

July 30, 1990

By Councilmember Schmidt:

To amend this resolution by adding:

"AND,

BE IT FURTHER RESOLVED that the Administration is requested to enter into a contract governing the ependiture of these funds, and that the Internal Auditor is directed to audit this contract."

Carried unanimously.

By Councilmember Benavides:

That the resolution as amended be approved.

Carried unanimously.

Resolution #420
BY COMMITTEE ON WAYS AND MEANS 7/30/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$100.00 from Est. Rev. A/C 101-000000-170001-00000

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100.00 to Hum. Res.—Bgt. Ctl.
A/C 101-673701-992200-00000
(Donation of Garden Club of Greater Lansing for tree planting at Reutter Park.)

Submitted by:
Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides:

Carried unanimously.

Resolution #421
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the North Lansing Community Association has requested City assistance on August 4, 1990, for the North Lansing Heritage Festival; and

WHEREAS, the Mayor recommends approval of this request; and

WHEREAS, the Festival Committee has secured the proper insurance coverage as required by City policy;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council approves the waiver of the fees and deposit for use of the Showmobile on August 4, 1990.

July 30, 1990

By Councilmember Adado:

Carried unanimously.

Resolution #422
BY COUNCILMEMBER CRAWFORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT City Council resolution #150, adopted Thursday, April 5, 1990, authorizing the closure of streets to local traffic only for 120 days within the area bounded by Shiawassee Street on the north, Martin Luther King Jr. Blvd./Logan Street on the east, St. Joseph Street on the south, and a western boundary of Everett Drive at St. Joseph to Hillsdale, west to McPherson, to Spencer, to Jenison, to Shiawassee, is hereby amended to extend the duration of the above-described authorization for an additional sixty (60) days.

By Councilmember Crawford:

Carried unanimously.

Resolution #423
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Verlen and Valerie Kruger are canoeists of world renown who reside in the Lansing area; and

WHEREAS, The Krugers have brought world focus upon Lansing through
"The Ultimate Canoe Challenge, a 28,000 mile odyssey" and "The Two Continent Canoe Expedition"; and

WHEREAS, The Krugers continue in their efforts to increase awareness and interest in the sport of canoeing through the "Grand River Expedition 90"; and

WHEREAS, The City of Lansing has constructed a canoe Landing at the intersection of Aurelius Road and the Red Cedar River as a part of the River Trail:

NOW, Therefore, be it resolved the Lansing City Council hereby names the new canoe Landing "Kruger Landing" in honor of Verlen and Valerie Kruger and authorizes the installation of a suitable sign and commemorative plaque.

By Councilmember Lindemann:

Carried unanimously.

Resolution #424
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The International Association of Fire Fighters, Local 421 and the City of Lansing have bargained on economic and operational issues, and

WHEREAS, The parties have reached a tentative agreement, and

WHEREAS, The Mayor recommends approval of the proposed agreement as being a reasonable agreement which improves operational flexibility, and is within economic parameters, and

WHEREAS, The Council has reviewed the terms of the proposed agreement.

NOW, THEREFORE, BE IT RESOLVED, that the agreement between the City of Lansing and the International Association of Fire Fighters, Local 421 for the period July 1, 1990—January 15, 1993 be hereby ratified, and

BE IT ALSO RESOLVED, that the Budget Office be hereby authorized to administratively transfer the funds with the General Fund and other City funds to implement this agreement.

By Councilmember Benavides:

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

Letter from Kenneth Stockwell regarding development of the Oliver Tower Site

REFERRED TO THE MAYOR

2/ Information submitted in support of the Public Hearing regarding the Church of the Resurrection Ox Roast Festival received from:

-Festival Committee
-Eastside Neighborhood Association

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FILED WITH PUBLIC HEARING DOCUMENTATION

3/ Letter from Thomas Burchman of Wolverine Development Corporation requesting extension of timeframe for payment of assessment and a Committee Report from the Committee on Ways and Means requesting referral to other areas

REFERRED TO THE MAYOR, CITY ATTORNEY AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ A resolution regarding the naming of the Canoe Landing at the intersection of Aurelius Road and the Red Cedar River

(Handled as Resolution #423)

5/ A resolution approving the agreement between the City of Lansing and the International Association of Fire Fighters, Local 421

(Handled as Resolution #424)

PUBLIC COMMENTS

Frank X of 1137 W. Allegan stated that he is opposed to the barricades and that Councilmembers should listen more to the public.

Tondra Farmer of 421 Jenison stated that she has found new housing since her last visit to City Council but that the new house is even more environmentally hazardous than her prior one.

Thelma Osteen of the North Lansing Community Association reviewed the North Lansing Heritage Festival which will be held on Saturday. August 4, 1990.

Steve Johnson of the Northside Neighborhood Association wished to thank Council for the extension of barricades in the Vivian Riddle area.

Rodney Higgins of 400 N. Francis stated that they have been having a lot of trouble with trucks in their neighborhood and the area is posted for "NO TRUCKS". He brought pictures along which were referred to the Mayor's Office for action.

Sue Eby of 130 Island, representing Citizens for Public Recycling, stated that the group went to Madison Heights last week to view their recycling program and were very impressed.

Andrew Anthos stated that he was apalled to see the condition of some of the flags that are being displayed. He also stated that he wished the boarded up window on the State Capitol Building would be repaired.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd stated that he felt the Human Resources Department handled Miss Farmer's problem with housing in a very caring manner and that he wished to clarify this matter. He felt the Department did the best they could under the circumstances.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides spoke in response to a Lansing State Journal article regarding the Lansing Housing Commission. He stated that he was discouraged that City Council was not acting to correct some of the problems uncovered in this article. He stated that he asked the City Attorney about two months ago to look into ways that the accountability of the Housing Commission could be improved and would like to have a response.

Councilmember Schmidt provided an update on the status of the South Cedar Street widening project. She also asked Howard McCaffrey to provide an update on the West Cavanaugh Road Construction for viewers.

Councilmember Ford stated that he attended a neighborhood meeting for Sparrow Estates over the week-end which was very successful and well attended. He also stated that he received a call from Charles Creamer regarding the need for some tree trimming in the 500 block of Everett Drive.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:45 P.M.

James D. Blair, City Clerk
Lansing, Michigan

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, August 6, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
August 6, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Benavides

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

By Councilmember Adado:

To accept the following under suspension of the rules:

-To allow those present from the Citizens for Public Recycling to speak after Special Ceremonies

YEAS: Adado, Ford, Lindemann

NAYS: Belen, Crawford, Schmidt, Worthington

ABSENT: Benavides

PUBLIC HEARINGS

There were no scheduled public hearings.

PUBLIC COMMENTS

There were no public comments.

SPECIAL CEREMONIES

A. National Night Out—Mayor McKane, Lansing Police Department, Board of Water & Light and the East Lansing Police Department reviewed plans for the National Night Out Against Crime scheduled for August 7, 1990

B. National Night Out—Howard Wolpe, 3rd District Representative, also urged citizens to participate in the National Night Out effort

C. Update from Mr. G. Cutler regarding Michigan Railroad Museum

City Clerk James D. Blair announced that there will be no Channel 28 live coverage of election returns for the primary election of August 7, 1990, due to remodeling of City Council 10th Floor facilities.

By Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that proper referrals be made by the Council President.

Carried unanimously.

COMMUNICATIONS AND PETITIONS

A. Letter from Thomas Meyer, Vice President and General Counsel of Jackson National Life, regarding Traffic Problem at Miller Road and Pennsylvania Avenue

REFERRED TO THE MAYOR
AND THE TRAFFIC BOARD

B. Letter from Brian Jeffries of the Ingham County Board of Commissioners regarding the County's Resolution Supporting a Study for Solid Waste Management Programs

REFERRED TO THE MAYOR,
COMMITTEE ON PUBLIC SERVICES, AND
INTERGOVERNMENTAL RELATIONS COMMITTEE

C. Letter from Mark Lodweyk of JJR requesting an Exception to Chapter 1022.6 of the City Ordinance

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Letter from Linda Hart of 1874 Maple, Holt, suggesting a Trolley System between Lansing and East Lansing

RECEIVED AND PLACED ON FILE

E. Letter from Judy Barton of 4655 Dobie Road, Okemos, regarding Address Change for Ordinance Mailings

RECEIVED AND PLACED ON FILE

F. Letter from Leslie Staniszewski of 1941 Carson protesting Aurelius Road Reconstruction Special Assessment

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

G. Letter from Wendell Frever, President of Local 141 of the Supervisors Unit, Fraternal Order of Police, regarding expanding the Field of Candidates for Position of Chief of Police

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

H. Notice from the Public Service Commission of a Public Hearing on August 17, 1990, regarding Application of Consumers Power Company for Adjustment to Surcharges for Nuclear Power Plant Decommissioning

RECEIVED AND PLACED ON FILE

I. Letter from Cora Huguely of the Greater Lansing Convention-/Exhibition Authority enclosing Financial Statements for the Authority

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

J. Letter from Frank Garrison of the Michigan State AFL-CIO regarding proposed Development of the 400 Block of South

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Washington Avenue

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

K. Letter from Leona Robke of 310 Seymour, Apt. 202, regarding Oliver Tower Plans

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

L. Letter from John Swainson, President of the Michigan Historical Commission, informing that a portion of the Grand River near Riverfront Park has been listed in the State Register of Historic Sites

RECEIVED AND PLACED ON FILE

M. Letters received regarding the Proposed Cat Ordinance from:

-Kris Goodman of 610 Clement
-Kathryn Pierce of the State Department of Education
-Omedeo Grandofora of 1114 Fairway Lane
-Frank Ospodhofom of 1102 Fairway Lane
-Janet Gregg of 1043 Fairway Lane
-Robert & Joan Trezise of 3635 Colchester
-Mary Lowe of 5830 Shaftsburg Road
-James Scott of 2101 Roberts Lane

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

N. Letter from Harold Leeman Jr. of 529 N. Francis requesting Action on Amendments to the Cable Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

O. Letter from Alexander Kruzel of the Bureau of the Census thanking Council President Belen for her support of their efforts with the 1990 Census

RECEIVED AND PLACED ON FILE

P. Letter from Donna Peiffer of 1112 Comfort Street regarding Special Assessment, P. S. 25062

REFERRED TO THE CITY ATTORNEY

Q. Letter from Concerned Residents of Filley Street regarding Property Located at 405 Filley Street

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed his letters numbered E1, E2, E3, E4, E7, E8, E9 and E10 from tonight's agenda.

Councilmember Adado asked the Mayor to provide a status on Communication & Petition #J from the AFL-CIO. The Mayor responded that Planning and Municipal Development is preparing a recommendation report on this topic.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #425
August 6, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Ernest Ionescu
SDM LIQUOR LICENSE: Logan Party Store (Connie Munnelly)

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Benavides absent.

B. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 30, 1990, for Review

RECEIVED AND PLACED ON FILE

C. Letter from Emerson Ohl, Office of Economic Development requesting a Public Hearing be set for August 27, 1990, regarding a Project Plan from Auto Air Composites, Inc.

Resolution #426
RESOLUTION SETTING HEARING DATE
(Auto-Air Composites, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock p.m., Michigan Time, on August 6, 1990, at which the following members were present: Adado, Belen, Crawford, Ford, Lindmann, Schmidt and Worthington

and the following were absent: Benavides

The following preamble and resolution were offered by and supported by Councilmember Adado

WHEREAS, this City Council has heretofore approved a Project Area and established a Project District Area for the Auto-Air Composites, Inc. Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

WHEREAS, Auto-Air Composites, Inc. (the "Applicant") has submitted to the Issuer a Project Plan, dated July 30, 1990 with respect to the Project; and

WHEREAS, Section 17 of Act. No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Section 147(f) of the Internal Revenue Code of 1986, as amended ("Code"), requires that in order for bonds or obligations to be issued by the Issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in said Act and Code; and

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WHEREAS, this City Council wishes to set a date for a public hearing on a Project Plan for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed $4,500,000 and the Project Plan for said Project shall be held at 7:00 o'clock p.m., Michigan Time, on the 27th day of August, 1990, in the Board of Education Meeting Room of the Lansing School District Administration Building, 519 W. Kalamazoo Street, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and the Code.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with resolution are hereby repealed, but only to the extent of such conflict.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSTENTIONS: Benavides

RESOLUTION DECLARED ADOPTED.

Resolution #427
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: July 31, 1990
SUBJ: Trash Violation Fee (V-21)—$2,148.99

The attached assessments for trash removal are being submitted with my concurrence for your review and appropriate action.

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor

Carried unanimously; Councilmember Benavides absent

D. Letter from Council President Belen with Appointments to the Wastewater System Independent Study Committee

RECEIVED AND PLACED ON FILE

E. Letters from the Mayor re:

1. Parking Policy for Riverfest and Special Events

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. Grants from the Department of Natural Resources

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

3. Michigan Recreation Sports Festival

RECEIVED AND PLACED ON FILE

4. Barricade Report: Vivian Riddle and Baker/Bailey

RECEIVED AND PLACED ON FILE

5. Emergency Purchase Order #50993—State Electronics

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. Beer and Wine Application—Capital City Riverfest, Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7. Industrial Pretreatment Program Ordinances

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Board of Zoning Appeals—Election of Officers

RECEIVED AND PLACED ON FILE

9. Trash Violation Fee (V-21)—$2,148.99

10. Acquisition of Property Located at 213 and 215 North Eighth Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

11. Traffic Control: Gary Avenue and Thomas Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. No Parking: Clemens Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Traffic Control: Greenbelt Drive and Ingham Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. No Turn on Red Request for Grand Avenue, Washtenaw Street and River Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

August 6, 1990

CASE NUMBER SLU-6-90
2125 Lyman Drive

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the request by Michael Sturley for the Community Mental Health Board for approval of a Special Land Use for property located at 2125 Lyman Drive.

REPORTS AS FOLLOWS: That the Special Land Use be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

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By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: Benavides

Z-10-90 August 3, 1990
1020 East Saginaw Street

The Committee on Physical Development To whom was referred the rezoning petition Z-10-90—1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District.

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilnember Worthington:

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

Z-11-90 August 3, 1990
3113 North East Street

The Committee on Physical Development

To whom was referred the rezoning petition Z-11-90—3113 North East Street to be rezoned from "A" Residential District to "F" Commercial District.

Reports as follows: That said rezoning be denied.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

Z-12-90 August 3, 1990
2416 North East Street

The Committee on Physical Development

To whom was referred the rezoning petition Z-12-90—2416 North East Street to be rezoned from "B" Residential District to "F" Commercial District.

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

P-1-88 August 3, 1990
Bel-Air Meadows #2 Final Plat
Recertification

COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the request by Jack VerPlanck for recertification of the final plat of Bel-Air Meadows #2 Sub.

REPORTS AS FOLLOWS:

That the recertification be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

RESOLUTIONS

Resolution #428
SIDEWALK RESOLUTION

Resolved, by the City Council of the City of Lansing

WHEREAS, the Lansing City Council ordered on July 9, 1990 that public improvements in the form of sidewalk repairs or construction be made pursuant to Chapters 1024.03 of the Code of Ordinances in front of and adjacent to properties located on the streets in the City of Lansing;

PROPERTY BENEFITED: All lands bounded by Martin Luther King Jr. Blvd/Logan Street, Moores River Drive, Davis Avenue and Mt. Hope Avenue, excepting all public streets and alleys and other land deemed not benefited.

The estimated expense of said improvements based upon the construction bid is as follows:

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ASSESSMENT ROLL NO. B-49

	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SDWK. REPAIRS	164,207.35	54,735.40
TOTAL COSTS	164,207.35	54,735.40

WHEREAS, the Lansing City Council ordered on May 29, 1990 that public improvements in the form of sidewalk repairs or construction be made pursuant to Chapters 1024.03 of the Code of Ordinances in front of and adjacent to properties located on the streets in the City of Lansing;

PROPERTY BENEFITED: All lands bounded by Edgewood Blvd., Amwood, and American Dr., excepting all public streets and alleys and other land deemed not benefited.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. B-50

	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SDWK. REPAIRS	14,941.95	44,824.70
TOTAL COSTS	14,941.95	44,824.70

Project to be part of the 1990 Sidewalk Contract #1, construction project, P.S. #45036.

WHEREAS, the City Assessor has prepared the assessment roll for each property to be assessed for said sidewalk construction and repair improvement and has caused said assessment roll to be placed on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, August 20, 1990, at 7:00 p.m., in the School Board Meeting Room, Lansing School Board Administrative Building, 519 W. Kalamazoo Street, Lansing, Michigan, to review, prior to confirmation, said special assessment roll for sidewalk construction and repairs pursuant to PS 45036.

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c)(1), of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin boards at First Floor Lobby, City Clerk's Office, and Council Chambers of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner, respectively, for each of the properties adjacent to, or in front of, where such sidewalk improvement was made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts numbers 403 933601 974100 42218, 409 933602 974200 42218, and assessment accounts as assigned.

Charles S. Remenar, Deputy Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Benavides absent

Resolution #429
PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

THAT the special assessment roll for Curb & Gutter and Storm Sewer, 1990 CURB & GUTTER CONSTRUCTION, PS 64119

Assessment Roll #320
PROPERTY BENEFITED: All land fronting on RICHARD ROAD from Sawyer to Edgewood, FIELDING DRIVE from Wainwright to Ingham, BALLARD STREET from Risdale to Fielding, WHYTE STREET from Illinois to Indiana S., CEDAR STREET from Robert to Cavanaugh (east side only) excepting all public streets, alleys and other lands deemed not benefited.

as returned by the City Assessor, be ratified and confirmed, and the Mayor be directed to affix within ten days his warrant directing the City Treasurer to collect said tax on, or before, the 4th of November, 1990.

Following is a revised distribution of costs:

ROLL #320	CITY SHARE	ASSESSED SHARE	TOTAL
Storm Sewer	$33,771.75	$17,205.06	$50,976.81
Curb & Gutter	13,810.48	53,121.07	66,931.55
Road Const.	116,389.05	—	116,389.05
TOTALS	$163,971.28	$70,326.13	$234,297.41

I hereby certify that funds are available for the City of Lansing's share of said project as follows:

	Account	Amount
City Share Storm Sewer	401 933615 973000 41413	$33,771.75
Road Constr & Curb & Gutter	403 933601 974100 42120	$130,199.53
Roll #320	404 933601 974100 12055	$ 70,326.13

By Councilmember Worthington:

Carried unanimously; Councilmember Benavides absent

Charles S. Remenar
Deputy City Controller

Resolution #430
By COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing has entered into an Urban Homesteading Agreement with the U. S. Department of Housing

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and Urban Development (HUD); and

WHEREAS, the Urban Homesteading Procedures approved by the Mayor on April 28, 1983, and Section 208.01 of the Code of Ordinances of the City of Lansing require City Council approval to include houses in the program; and

WHEREAS, the Grand Rapids FHA Insuring Office has indicated the availability of a property for inclusion in the Urban Homesteading Program, 1220 Prospect Street legally described as

W 33 ft. Lot 3 and E 33 ft. of S 66 ft. lot 3, Block 12, Green Oaks Addition; and

WHEREAS, City staff has inspected the property located at 1220 Prospect Street and has recommended its purchase for inclusion in the Urban Homesteading Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the purchase of 1220 Prospect, with Section 810 funds, be and is hereby approved.

By Councilmember Worthington:

Carried unanimously; Councilmember Benavides absent

Resolution #431
COMMITTEE ON PHYSICAL DEVELOPMENT 7/6/90

SLU-6-90
2125 Lyman Drive

WHEREAS Michael Sturley, of the Community Mental Health Board, has requested a special land use permit to operate an adult foster care facility for seven (7) developmentally disabled individuals at 2125 Lyman Drive, and more particularly described as:

Lot 442 and the east B of Lot 441, Groesbeck Hills Subdivision #11, a part of the northwest of Section 11, T4N, R2W, City of Lansing, Ingham County, Michigan; and

WHEREAS the premises was inspected by the Planning Division, Building Division and Fire Marshal; and

WHEREAS certain improvements to the premises are required; and

WHEREAS the Planning Board has reviewed this request in accord with Section 1282.02(f) of the Zoning Code and determined that this facility will not have an adverse impact upon the surrounding neighborhood; and

WHEREAS the Planning Board, on Tuesday, June 19, 1990, voted to recommend approval thereof subject to conditions; and

WHEREAS the Physical Development Committee of Council, to whom the report of the Planning Board was referred, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Physical Development Committee of Council, to whom the report of the Planning Board was referred, concurs therewith,

NOW, THEREFORE, BE IT RESOLVED that the Physical Development Committee of the Council of the City of Lansing hereby approves a special land use permit for the property at 2125 Lyman Drive, subject to the Planning Division, Building Division and Fire Marshal requirements being complied with. In making this recommendation the City Council considered the following:

1. The proposed special land use to allow the number of beds with the facility to be increased from six to seven will be operated and maintained in a manner harmonious with the residential character of the adjacent property.

2. The proposed residential use will not change the single family residential character of the surrounding area.

3. The proposed low intensity residential development is not expected to interfere with the enjoyment of the adjacent property.

4. The proposed special land use will not be hazardous to adjacent property, since it does not involve uses or activities, materials or equipment which are detrimental to the Health, safety and welfare of persons or property through excessive production of traffic, noise, smoke, odor, fumes or glare.

5. The proposed special land use is adequately served by the necessary public facilities and will not place demands on public services and facilities in excess of current capacities.

6. The proposed special land use is consistent with the intent and purpose of the Ordinance and the objectives of the adopted Comprehensive Plan.

7. The proposed special land use meets dimensional requirements of the district in which the property is located.

By Councilmember Worthington:

Carried unanimously; Councilmember Benavides absent

BE IT FINALLY RESOLVED that the City Clerk be directed to notify the petitioner of this action and the conditions thereof.

Resolution #432
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:
August 3, 1990
CASE NUMBER:
SLU-7-90
1507 Jerome Street

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 27, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School Administration Building, for the purpose of approving and/or opposing the proposed Special Land Use permit, SLU-6-90, by the Clinton-Eaton-Ingham Community Mental Health Board, Inc. on property located at 1507 Jerome Street.

ADOPTED BY THE FOLLOWING VOTE:

Yeas: Councilmembers Adado, Belen, Crawford, Ford, Lindemann, Schmidt and Worthington

NAYS: None

ABSENT: Councilmember Benavides

Resolution #433
COMMITTEE ON PHYSICAL DEVELOPMENT July 19, 1990

P-1-88

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Bel-Air Meadows #2 Final Plat
Recertification

WHEREAS one year has passed since the final plat for Bel-Air Meadows #2 was approved by the City; and

WHEREAS Jack VerPlanck has requested recertification of the plat as is necessary since implementation did not proceed within the one year limitation as required; and

WHEREAS the Planning Division reviewed this final plat in accord with provisions under the Lansing Subdivision Control Regulations and found it to be in substantial conformance with the final preliminary plat as recommended by the Planning Board subject to conditions; and

WHEREAS the Physical Development Committee of Lansing City Council reviewed the report of the Planning Board and concurred therewith;

NOW, THEREFORE, BE IT RESOLVED that the final plat of Bel-Air Meadows #2 be given approval subject to the following seven conditions:

1. That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2. That all lots shall be graded so surface water will drain therefrom so as not to adversely affect adjacent properties.

3. That the developer utilize an underground electrical distribution system, as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4. That all necessary easements be provided for the installation of utilities.

5. That all conditions as set forth at the time of preliminary approval be adhered to.

6. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the signing of the plat and affixing of the Municipal Seal.

7. That any required final security be posted in the amount specified by the Department of Parks and Recreation and the Public Service Department; and

BE IT FURTHER RESOLVED that the City Clerk be directed to notify the developer and surveyor of this action.

By Councilmember Worthington:

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Worthington

NAYS: Schmidt

ABSENT: Benavides

Resolution #434
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jeffery Calvin Freeman has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that Mr. Freeman's driver's license had been suspended within two years of the date of his application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (3) (d) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and concluded that the circumstances of the suspension are not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Jeffery Calvin Freeman.

By Councilmember Schmidt:

Carried unanimously; Councilmember Benavides absent

Resolution #435
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Daniel Harger filed a claim against the City for $135.00 as reimbursement for expenses of a plugged sewer line that caused a backup into his basement; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Mr. Harger appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence that the City should pay the claim; and

WHEREAS, the Committee discovered that the City had no prior notice of a plug in the sewer line, and agrees that the doctrine of governmental immunity eliminates liability for this type claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Daniel Harger.

By Councilmember Schmidt:

Carried unanimously; Councilmember Benavides absent

Resolution #436
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on March 5, 1990, this Council adopted a policy resolution regarding sale of the Civic Center to any buyer willing to meet the conditions stated in the resolution; and

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WHEREAS, all previous policy statements on the issue of the Civic Center sale were repealed by the March 5, 1990, resolution; and

WHEREAS, the Council desires to establish a date certain after which new offers to purchase the property shall no longer be considered;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby reaffirms the policies contained in the March 5, 1990, resolution on sale of the Civic Center, and requests the Administration to consider and provide analyses of any offers received by close of business on August 17, 1990; and

BE IT FURTHER RESOLVED the City will not accept offers to purchase the Civic Center property after August 17, 1990.

By Councilmember Adado:

YEAS: Adado, Belen, Crawford, Ford, Schmidt, Worthington

NAYS: Lindemann

ABSTAIN: Worthington

ABSENT: Benavides

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-90—1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-90—1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District be now passed.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

ORDINANCE #2319
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-10-90, 1020 East Saginaw Street
Parcel Number: 3301-15-126-431
Legal Description: Commencing on the west line of Lot 15, 153.5 feet north of the southwest corner of Lot 15; thence south 153.5 feet, east 49.5 feet, north 162.5 feet along the east line of Lot 15, southeasterly to beginning, Jones & Porter's Addition, City of Lansing, Ingham County, Michigan

From "D-1" Professional Office District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-11-90—3113 North East Street to be rezoned from "A" Residential District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-11-90—3113 North East Street to be rezoned from "A" Residential District to "F" Commercial District be now passed.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

(Note: The Committee Chairperson has notified us that Z-11-90—3113 North East Street will be reconsidered and dismissed at the 8/13/90 Council meeting)

ORDINANCE #
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN,

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AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amnded to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-11-90, 3113 North East Street
Parcel Number: 3301-04-276-142
Legal Description: Lots 10 and 11, Supervisor's Plat of Community Home Sites, City of Lansing, Ingham County, Michigan

From "A" Residential District to "F" Commercial District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-90—2416 North East Street to be rezoned from "B" Residential District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-90—2416 North East Street to be rezoned from "B" Residential District to "F" Commercial District be now passed.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

ORDINANCE #2320
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-12-90, 2416 North East Street
Parcel Number: 3301-03-310-102
Legal Description: Lots 104 and 105 plat of North Lawn Subdivision, City of Lansing, Ingham County, Michigan

From "B" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Schmidt

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Subsections 292.01 (h) (1), and 292.14 (b) and Section 292.40 to reflect the Transfer of Members Employed by the Housing Commission to the Michigan Municipal Employees Retirement System be placed on order of immediate passage.

BY COUNCILMEMBER Schmidt

That this be considered as being read in its entirety.

BY COUNCILMEMBER Schmidt

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Subsections 292.01 (h) (1), and 292.14 (b) and Section 292.40 to reflect the Transfer of Members Employed by the Housing Commission to the Michigan Municipal Employees Retirement System be now passed.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

By Councilmember Schmidt:

That this ordinance be given immediate effect.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Benavides

ORDINANCE NO. 821
AN ORDINANCE TO AMEND CHAPTER 292 OF THE CODE OF THE CITY OF LANSING BY AMENDING SUBSECTIONS 292.01 (h)(1), AND 292.14(b), AND SECTION 292.40, TO REFLECT THE TRANSFER OF MEMBERS EMPLOYED BY THE HOUSING COMMISSION TO THE MICHIGAN MUNICIPAL EMPLOYEES RETIREMENT SYSTEM.
Section 1. Subsection 292.01(h)(1) is amended to read as follows:
(h)"Employee" means:
(1) Any regular or permanent officer or employee of the City, and

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for the sole and exclusive purposes of this retirement system, any employee of the Housing Commission EMPLOYED ON APRIL 16, 1988 WHO HAS NOT EXECUTED A REQUEST TO TRANSFER TO THE MICHIGAN MUNICIPAL EMPLOYEES RETIREMENT SYSTEM AND A RELEASE OF THE CITY AND THE RETIREMENT SYSTEM FROM FUTURE PENSION CLAIMS, OR ANY FORMER EMPLOYEE OF THE HOUSING COMMISSION WHOSE RIGHT TO A RETIREMENT ALLOWANCE HAS BEEN DEFERRED BY THE BOARD OF TRUSTEES. Beginning January 1, 1971, any person who is employed on a regular or permanent basis by the District Court, except the judges of such Court, shall be considered an employee of the City for the sole and exclusive purposes of this retirement system. The term "employee" does not include any person who is compensated by the City or by the District Court wholly on a fee or contractual basis, nor the Medical Director appointed under Section 292.11, nor elective officials of the City, except as provided in paragraph (b)(2) hereof nor judges of the District Court. The phrase contractual basis," as set forth herein, shall not be applicable to those regular full time employees of the City who are required to sign employment contracts under the January 15, 1985, personnel rules for executive management plan personnel or Council staff personnel as a condition of employment.

Section 2. Subsection 292.14(b) is amended to read as follows:

(b) The membership of the retirement system shall not include:

(1) Employees who are employed by the Board of Water and Light;

(2) Employees who are members of the Policemen's and Firemen's Retirement System as set forth in Chapter 294;

(3) Employees hired on or after the effective date of this section (Ordinance 540, passed June 25, 1979) who are retirants receiving or entitled to receive a retirement allowance, a deferred retirement allowance or a disability retirement allowance from the Policemen's and Firemen's Retirement System; and

(4) EMPLOYEES OF THE HOUSING COMMISSION WHO HAVE EXECUTED A REQUEST TO TRANSFER TO THE MICHIGAN MUNICIPAL EMPLOYEES RETIREMENT SYSTEM AND A RELEASE OF THE CITY AND THE RETIREMENT SYSTEM FROM FUTURE PENSION CLAIMS, NOR SHALL IT INCLUDE ANY EMPLOYEES OF THE HOUSING COMMISSION HIRED AFTER APRIL 16, 1988.

(5) Employees who are employed in positions normally requiring less than 2,000 hours of work per year.

Section 3 Section 292.40 is amended to read as follows:

292.40 USE OF FUNDS.

All funds of the retirement system shall be held for the sole purpose of meeting disbursements for pensions, retirement allowances and other payments authorized by this chapter and shall be used for no other purpose. THIS PROVISION HOWEVER SHALL NOT BE CONSTRUED TO PROHIBIT THE TRANSFER TO THE MICHIGAN MUNICIPAL EMPLOYEE RETIREMENT SYSTEM OF SUCH FUNDS AS ARE NECESSARY TO EFFECTUATE ANY AGREEMENTS BETWEEN THE CITY AND THE HOUSING COMMISSION PROVIDING FOR THE TRANSFER OF MEMBERS EMPLOYED BY THE HOUSING COMMISSION TO THE MICHIGAN MUNICIPAL EMPLOYEES RETIREMENT SYSTEM. The crediting of moneys to the various funds of the system shall be interpreted to refer to accounting procedures and not to the actual segregation of moneys in the various funds of the system.

Section 4. This ordinance shall take effect (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect.

CONSIDERATION OF LATE ITEMS

There were no late items approved for consideration.

PUBLIC COMMENTS

The following representatives from Citizens for Public Recycling spoke in support of Proposal 2 on the August ballot:

-Howard Jones
-Carol Rall of 1608 W. Shiawassee
-Shirley Burnie of 216 Moores River Drive
-Susan Dougherty of 229 Moores River Drive
-Christine Fissel
-Vinnie Cox
-Pat Murray of 216 Moores River Drive
-Harold Foster, Editor of the Lansing Labor News
-Priscilla Holmes of 220 Reo Avenue
-Ruth Rader
-Ellen Beal of 227 Custer
-Sue Eby of 130 Island
-Rudy Reyes of 2201 S. Pennsylvania
-David Wall of 210 Ferguson
-Betty Kost of 1425 McIntyre Court

Donald Frost of4406 Ingham requested to be placed on the Agenda for 8/13/90 regarding his denied claim. Council President Belen stated that if he had *new* information to present he could submit it to the City Clerk by 5:00 P.M. on August 9, 1990, to have it placed on the 8/13/90 Agenda.

Gary Andrews had a question if any of the funds in Proposal 1 for Parks was planned to go to Turner Mini Park. Eric Reickel responded that some was planned for Turner Mini Park but was dependent on some other concerns in the area being handled.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane responded to the resolution regarding sale offers for the Civic Arena by explaining actions that had been taken to date. He stated that he will be sending out notices for bid based upon the passage of tonight's resolution according to the approved guidelines.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann thanked the administration for clearing up the problem with trucks in the Francis Street area and also for their support in Sparrow Estates.

Councilmember Ford stated that he is in support of proposal 2 for recycling. He also stated that he would like to know if a rule exists prohibiting golfing in the City Parks as he has had several complaints about this activity. He also asked the administration to check a boat which is in a very unsanitary state behind the North Grand River Hardware Store (Mildred & North Grand River Avenue).

Councilmember Schmidt wanted to remind everyone that it was City Councilmembers who placed proposal 2 for recycling onto the August ballot.

Councilmember Adado requested a status on the request for left turn lights at Mt. Hope and Pennsylvania. Howard McCaffrey

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responded that he would send him a schedule.

Council President Belen stated that she would be voting yes on proposal 1 and no on proposal 2 as she felt that the citizens of Lansing should have an option for the handling of recycling.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 9:45 P.M.

James D. Blair, City Clerk
Lansing, MI

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, August 13, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
August 13, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt and Worthington

ABSENT: Councilmember Lindemann

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

By Councilmember Ford:

To accept the following under suspension of the rules:

1. A petition from residents of Dorrance Place requesting a four way stop sign and speed controls

2. A resolution for non-profit status for Junior League of Lansing

3. A resolution for non-profit status for the Lansing Boxing Club

4. Two additional appointments for the Ad Hoc Recycling Committee from President Belen

Carried unanimously; Councilmember Lindemann absent

By Councilmember Schmidt:

To approve the printed Council proceedings for July 9, July 16 and July 30, 1990

Carried unanimously; Councilmember Lindemann absent

PUBLIC HEARINGS

Issuance of an Industrial Facilities Exemption Certificate to Himont Advanced Materials

There were no public speakers for this hearing.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

PUBLIC COMMENTS

There were no Public Comments.

SPECIAL CEREMONIES

Donald Frost of 4406 Ingham was allowed to speak at this time. Mr. Frost stated that he wanted to warn viewers of the problems they would encounter working with City government if they have claims.

COMMUNICATIONS AND PETITIONS

By Councilmember Adado:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Lindemann absent

A. Letter from Donald A. Frost of 4406 Ingham Street regarding denial of his Claim

RECEIVED AND PLACED ON FILE

B. Letter from Randall Eberbach of 253 Horton Street regarding Traffic Control on Baker and Lyons Streets

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

C. Letter from Roxanne D. Eaton of Eaton Realty and Builders regarding Sidewalk Assessment for 619 S. Magnolia

REFERRED TO THE MAYOR AND CITY ATTORNEY

D. Letter from Helen Brija of 212 E. Jackson requesting an extension of time for Payment of Special Assessment

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E. Petition Z-16-90 for Rezoning 6541 Rosedale Road from "A" Residential District to "C" Residential District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Letter from Charles Lewis of 901 Holten Street appealing the Denial of his request for Cancellation of Sidewalk Assessment

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

G. Letter from Richard A. Lund, President of Auto Air Composites, Inc., regarding the Establishment of an Industrial Development District

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

H. Copy of Resolution adopted by the Ingham County Board of Commissioners regarding "Red Ribbon Week" in Ingham County

RECEIVED AND PLACED ON FILE

I. Letter from Mrs. Naomi Johnson of 1447 E. Saginaw regarding Downtown Development Plans

REFERRED TO THE MAYOR

J. Letter from Reverend James A. Murray, Pastor of St. Mary Cathedral, and Pastor Roger Robertson of First Baptist regarding Proposed Redevelopment of Property Located on the Block framed by North Capitol, West Shiawassee, Seymour and West Ionia

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

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Mayor McKane commented on letters numbered C1, C2, C3, C4, C5, C6, C7 and C10 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #436A
August 13, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: John Louis Terberg, Constantin Deaconu
SIGN ERECTOR: Adams Outdoor Advertising

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Lindemann absent.

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 6, 1990 for Review

RECEIVED AND PLACED ON FILE

2. Letter from John Person of the Department of Treasury regarding an Industrial Facility Exemption Certificate requested by Ronald N. Granning

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1.
Resolution #437
August 8, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

RE: Signs at both ends of 1800 block of S. Rundle St.

You recently referred to me a letter from Mr. and Mrs. Bruce Rasmussen that asked the City to place "Slow Children Playing" signs at both ends of the 1800 block of South Rundle Street (with the letter was a petition signed by 21 of their neighbors).

I have reviewed this issue with staff and I recommend placement of the signs as a way of making the neighborhood a safer place for children.

Thank you for your consideration.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Crawford:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously; Councilmember Lindemann absent

2. Recycling of Styrofoam Products

RECEIVED AND PLACED ON FILE

3. Summer Recreation Program Update

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4.
Resolution #438
August 9, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

SUBJ: Draft Ordinance for Alternate Retirement System

I am forwarding the attached draft ordinance with my concurrence. I am requesting that you introduce it and set the public hearing for August 20, 1990. To enable us to keep on the planned implementation schedule set by Council, I am requesting that you follow the schedule outlined in the attached communication from the Director of Finance.

Your cooperation is appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Worthington:

Resolved by the City Council, City of Lansing, to introduce the ordinance for the Alternate Retirement System and to set a Public Hearing for August 20, 1990

Carried unanimously; Councimember Lindemann absent

5. Lowering of River Basin above Moores Park, September 5-22, 1990

RECEIVED AND PLACED ON FILE

6.
Resolution #439
August 8, 1990

Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

I herewith submit for your consideration and confirmation the

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reappointment of Derwood L. Boyd to the Capital Region Airport Authority Board. This term will expire October 14, 1994.

Your confirmation of this appointment is appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Ford:

Resolved by the City Council, City of Lansing, to confirm the appointment of Derwood L. Boyd to the Capital Region Airport Authority Board.

Carried unanimously; Councilmember Lindemann absent

7. Fast Trak Shuttle Lot Usage Update

RECEIVED AND PLACED ON FILE

8. Request for Public Hearing regarding Public Improvement III—Cavanaugh Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9. Tax Abatement Review, IPR-5-90-Himont U.S.A., Inc.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

10. Barricade Report—Vivian Riddle & Baker/Bailey

RECEIVED AND PLACED ON FILE

11. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

BY THE COMMITTEE ON PUBLIC SERVICES

To whom was referred the matter of accepting three park development grants from the State of Michigan.

Reports As Follows: The State Department of Natural Resources has notified the city that we are the recipients of three grants recently approved by the Governor. Acceptance of these grants will provide $847,325 of state funds for the following projects contained in the Parks and Recreation 1990-1994 plan.

1. Moores River Park Renovation.
2. River Trail from Burchard Park to East Grand River Ave.
3. Potter Park Pavilion Renovation.

Application for these projects was previously approved by the City Council. The committe unanimously endorses acceptance of these grants, and hereby refers this matter to the Committee on Ways and Means for final review including a financial impact statement and identification of matching funds in the amount of $420,000.

SIGNED

BY COUNCILMEMBER Schmidt:

That the report of the Committee be adopted.
YEAS: Adado, Belen, Benavides, Crawford, Ford, Schmidt, Worthington

NAYS: None

ABSENT: Lindemann

Z-9-90 August 13, 1990
320 North Walnut Street

The Committee on Physical Development To whom was referred the rezoning petition Z-9-90—320 North Walnut Street to be rezoned "DM-4" Residential District to "D-2" Residential/Office District.

Reports as follows: That said rezoning be approved.

SIGNED: Sidney P. Worthington
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Worthington:

YEAS: Adado, Belen, Benavides, Crawford, Ford, Schmidt, Worthington

NAYS: None

ABSENT: Lindemann

RESOLUTIONS

Resolution #440
By the Committee on Physical Development

ACT-18-90
Floyd Street Easement

WHEREAS, the Lansing City Council March 1984 granted an easement to Mr. Troy Pence, property owner of a land locked parcel (Parcel #3305 10 276 121) located on a platted, undeveloped street known as Floyd Street; and

WHEREAS, the property was not developed by the owner, but sold to a new individual Mr. Glen Ottinger, who desires to construct a single family dwelling on their property and which requires access and utility easements in the Floyd Street right-of-way; and

WHEREAS, it is desirable for the City to retain ownership of Floyd Street for future development in the area and in that the City has no plans to improve the street at the present time, however, the new owner of the property should be permitted to construct a residence on their property; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approve the transfer of the right to use the Floyd Street right-of-way as originally granted in 1984 to Mr. Glen Ottinger, and includes the property described as:

Commencing at the Southeast ¼ section mark of the NE ¼ of section 10, Delhi Twp. City of Lansing, thence west along the south section 583 feet; thence north 30 ft. to the point of beginning, thence north 444 ft. to the south right-of-way line of I-96, thence southwesterly 57 +/-ft. along said right-of-way line, thence south 421 ft., thence east 50 ft. to the point of beginning.

FURTHER BE IT RESOLVED that the Public Service Department prepare and issue a license to Mr. Ottinger for use as a driveway access and installation of required utility services.

By Councilmember Worthington:

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Carried unanimously; Councilmember Lindemann absent

Resolution #441
By Committee on Physical Development

Whereas, the City of Lansing is committed to preserving and improving its neighborhoods; and

Whereas, the residents of the Sparrow Estates neighborhood have petitioned the City to acquire the property located at 213-215 North Eighth Street and to subsequently demolish the structure located thereon; and

Whereas, the structure located at 213-215 North Eighth Street is a large two-unit residential structure that occupies almost 100% of the lot, thus providing no off-street parking and extremely limited open space for family usage; and

Whereas, the structure is currently vacant and boarded as a result of a recent drug raid; and

Whereas, the City administration, in support of the petitions received from the Sparrow Estates neighborhood, has recommended the acquisition and demolition of this property; and

Whereas, the Council Committee on Physical Development concurs in the recommendation of the City administration;

Now, Therefore Be It Resolved by the City Council of the City of Lansing that the City administration be and is hereby authorized to acquire the property located at 213-215 North Eighth Street, legally described as the North 47 feet of Lot 5, Block 4, Jerome's Addition, and to subsequently demolish the structure located thereon; and

Be It Further Resolved that the costs of the acquisition and demolition authorized herein shall be charged to the Community Development Block Grant program; and

Be It Finally Resolved that the City administration, subsequent to completion of the acquisition and demolition activities authorized herein, be and is hereby authorized to split the cleared land and to sell it to the two adjacent property owners at a price of one ($1.00) dollar per front foot, plus closing costs.

By Councilmember Worthington:

Carried unanimously; Councilmember Lindemann absent

Resolution #442
PUBLIC IMPROVEMENT III

Resolved, by the City Council of the City of Lansing

That the special assessment roll for the curb and gutter and storm sewer construction on Cavanaugh Road,

PROPERTY BENEFITED
CURB AND GUTTER: All lands fronting on Cavanaugh Road from Lowcroft to Stabler Road excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED
SIDEWALK: All lands fronting on Cavanaugh Road from 125 feet west of Lowcroft Road to 371 feet west of Stabler Road on the north side of Cavanaugh and from Lowcroft Road to 359.08 feet west of Stabler Road on the south side of Cavanaugh Road excepting all public streets alleys and other land deemed not benefited.

be received, approved and placed on file.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. 321

	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
STORM SEWER	23,593.17	0.00
SANITARY SEWER	34,372.58	0.00
CURB & GUTTER	89,548.15	36,304.25
SIDEWALK	41,016.34	45,939.90
OTHER COSTS	433,313.15	0.00
TOTAL COSTS	621,843.39	82,244.15

Project to be part of the Cavanaugh Road Reconstruction, P.S. #66045.

Resolved further, that the Lansing City Council will hold a public hearing on Monday, August 27, 1990, at 7:00 PM, in the School Board Meeting Room, Lansing School Board Administrative Building, 519 W. Kalamazoo Street, Lansing, Michigan, to review, prior to confirmation, said assessment roll.

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c)(1), of the Code of Ordinances by posting advance notice of the public hearing on the City bulletin boards at First Floor Lobby, City Clerk's Office, and Council Chambers of City Hall for five consecutive days. Said notice shall include a copy of this resolution, the street address, and tax parcel numbers and amount assessed to each property owner.

Let it be known any person who wishes to protest this Special Assessment must appear and protest at the Special Assessment Hearing, in order to appeal the amount of the Special Assessment to the Michigan Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the Hearing to protest the Special Assessment, or shall be permitted to file his or her appearance or protest by letter, and his or her personal appearance shall not be required. The City shall maintain a record of the parties who appear to protest at the Hearing. If a Hearing is terminated or adjourned on the day before a party is provided the opportunity to be heard, a party whose appearance was recorded is considered to have protested the Special Assessment in person.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

City Share of Storm Sewer
23,593.17 Acct. No. 401 933615 973000 41413
City Share of Sanitary Sewer
34,372.58 Acct. No. 590 453670 973000 20100
City Share of Other Costs
563,877.64 Acct. No. 403 933601 974100 42540
Assessment Roll #321
82,244.15 Acct. No. 404 933601 974100 42540

Charles S. Remenar, Deputy City Controller

By Councilmember Worthington:

Carried unanimously; Councilmember Lindmann absent

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Resolution #443
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee has previously reviewed, an application to rezone the 1900 block of North Larch Street and the 1800 block of Thompson Street from "C" Residential, "F" Commercial, and "H" Light Industrial Districts to "F" Commercial Districts; and

WHEREAS, the Lansing Planning Board indicates that the Master Plan designates this land for residential use, and that commercial development on the north end of the site is feasible only if direct access off North Larch Street is provided, a situation not currently obtainable; and

WHEREAS, the Planning Board further recommends that the south end of the site should be retained for use compatible with the residential neighborhood; and

WHEREAS, the Committee would now like to pursue disposition of these problematic parcels by acquiring the north site for conveyance to the residences located on Thompson Street, and by zoning the south site Professional Office,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council requests the Administration to appraise the north site, and to make any reasonable offer to the owner for acquisition of this parcel.

By Councilmember Worthington:

Carried unanimously; Councilmember Lindemann absent

Resolution #444
BY COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mrs. Helen Summers filed a claim against the City of Lansing in the amount of $4,173.49 for compensation as a result of a sewage backup; and

WHEREAS, the City Attorney's Office reviewed the claim and concluded that in the situation given, the damage was not done by any negligance of the City; and

WHEREAS, based upon the facts and conclusions of the law, the recommendation from the City Attorney's Office is to deny the claim; and

WHEREAS, the Committee on General Services reviewed the claim, and the report from the City Attorney's Office and approved a motion to concur with the Law Department's recommendation,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Law Department to deny the claim of Mrs. Helen Summers; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #445
BY COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capital City Riverfest, Inc. applied for approval of beer and wine sales, subject to Chapter 608 General Offenses Code, for the annual Capital City Riverfest for the Lansing Jaycees beverage tent and Cafe' Riverfest on the Princess Laura; and

WHEREAS, the date and time of use requested is August 31, 1990, 12:00 noon to 12:00 midnight; September 1 and 2, 1990, 11:00 a.m. to 12:00 midnight; and September 3, 1990, 11:00 a.m. to 6:00 p.m.; and

WHEREAS, the location of use would be the Jaycees beverage tent in Riverfront west, in the northwest corner the park at Grand and Saginaw, and Cafe' Riverfest—Princess Laura in Riverfront east on the Grand River just north of the Shiawassee Street bridge; and

WHEREAS, upon review by the General Services Committee, they concurred with the Mayoral recommendation to approve the application,

NOW THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application of beer and wine for the Capital City Riverfest, Inc. as so specified in this resolution.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #446
BY COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Administration has recommended a policy to address the issue of extraordinary parking charges for the purpose of distribution to special event sponsors; and

WHEREAS, the recommended policy has been reviewed by the Public Services Committee; and

WHEREAS, the Public Services Committee recommends adoption of the recommended policy;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby adopts the following policy:

1. That the Lansing Municipal Parking System may support festivals and special events in downtown Lansing by charging for parking between 6:00 p.m. and 9:00 p.m. weekdays and between 10:00 a.m. and 9:00 p.m. on weekends and holidays, periods of time when parking is usually free; and

2. That a $2.00 per day parking fee may be charged during these periods to all parkers except monthly permit holders, Michigan Bell employees, Board of Water and Light employees and Lansing Police Department employees; and

3. That Municipal Parking System employees will operate the parking facilities during these periods; and

4. That all operating costs will be recovered by the Municipal Parking System, to include employee fringe benefits; and

5. That the funds remaining after cost recovery be awarded to the agency sponsoring the festival or special event; and

6. That approval for the implementation of this policy may be

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provided only by City Council upon the recommendation by the Mayor for each specific festival or special event; and

BE IT FURTHER RESOLVED the Mayor is requested to recommend within one year, more specific policy statements on the following:

1. Specific facilities coverer by the policy.

2. Liability coverage provided by sponsoring organizations.

3. A definition of the types of organizations and/or events covered by this policy.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #447
BY COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLVED, by the City Council of the City of Lansing that the supplementary special assessment rolls M8901, M8902, and M8903 for maintenance districts and assessments as follows:

DISTRICT M8901
Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

Properties Fronting on the Mall Estimated Cost: $46,624.00
Actual Cost: $43,524.91 (includes a 50% credit of vendor revenue)
Difference—$3,099.09 less Properties Fronting on the Side Streets
Estimated Cost: $65,551.00
Actual Cost: $62,179.36 (includes a 50% credit of vendor revenue)
Difference—$3,371.64 less

DISTRICT M8902
Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. Side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

Estimated Cost: $29,879.00
Actual Cost: $27,701.24
Difference—$2,177.76 less

DISTRICT M8903
Beginning at the intersection of S. Townsend Street and W. Allegan Street, E. on Allegan (S. side only) to Capitol Avenue, S. on Capitol Avenue (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to Townsend Street, N. on Townsend (E. side only) to point of beginning; also Washtenaw Street east and west (both sides) from Townsend Street to Capital Avenue.

Estimated Cost: $7,856.00
Actual Cost: $7,400.90
Difference—$455.10 less

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll and collect all unpaid tax as shown on said rule on or before the 30th day of October, 1990.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #448
BY THE COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1306 Ada (garage only), legally described as:

3301 22 303 062
S 33 ft. Lots 24, 25 & 26 Alson N 33 Ft. Lots 14, 15 and 16, Clarks Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 28, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 30, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 13, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon

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which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

4. Make-safe or Demolish for Building Located at 814 Max Avenue

This resolution was pulled and returned to the Committee on Public Services

Resolution #449
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2602 Fielding Drive, legally described as:

3301 31 278 061
Lot 38, Pleasant Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 28, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 30, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 13, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #450
BY THE COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1011 Clear Street, legally described as:

3301 21 254 0i5
Lot 29, Clear's Sub. of Block 204

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 28, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan: and

WHEREAS, the City Council scheduled a hearing on July 30, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 13, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located: and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall

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be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #451
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 215 East South Street, legally described as:

3301 21 258 060
W ½ Lot 13, Block 203 Orig. Plat

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 28, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 30, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 13, 1990; and

BE IT FURTHER RESOLVED that the Building Safety Division contact Bank One Financial Services, Inc. to express City Council's desire to see this structure repaired if at all possible; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #452
By Councilmember Adado

Resolved by the City Council, City of Lansing, to grant non-profit status to the Lansing Boxing Club.

Carried unanimously; Councilmember Lindemann absent.

Resolution #453
By Councilmember Schmidt

Resolved by the City Council, City of Lansing, to grant non-profit status to the Junior League of Lansing.

Carried unanimously; Councilmember Lindemann absent.

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction on the Agenda. An ordinance was, however, introduced under Mayor's Letters #C4 and a public hearing set for August 20, 1990.

ORDINANCES FOR PASSAGE

A. By the Committee on Physical Development:

1.
By Councilmember Worthington:

To reconsider the ordinance on Z-11-90 for 3113 North East Street with action taken on 8/6/90:

Carried unanimously; Councilmember Lindemann absent

By Councilmember Worthington:

To pull the passage of the ordinance for Z-11-90 for 3113 North East Street

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-9-90—320 North Walnut Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District be placed on order of immediate passage.

BY COUNCILMEMBER Worthington:

That this be considered as being read in its entirety.

Carried unanimously; Councimember Lindemann absent

BY COUNCILMEMBER Worthington:

Resolved by the City Council of the City of Lansing that the

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Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-9-90—320 North Walnut Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District be now passed.

YEAS: Adado, Belen, Benavides, Crawford, Ford, Schmidt, Worthington

NAYS: None

ABSENT: Lindemann

ORDINANCE #2321

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-9-90, 320 North Walnut Street
Parcel Number: 3301-16-176-021
Legal Description: Lot 10 and the south 3 feet of the west 104 feet of Lot 11, Block 85, Original Plat, City of Lansing, Ingham County, Michigan

From "DM-4" Residential District to "D-2" Residential/Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

1. A petition from residents of Dorrance Place requesting a four way stop sign and speed controls

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

2. A resolution for non-profit status for Junior League of Lansing

See Resolution # 453

3. A resolution for non-profit status for the Lansing Boxing Club

See Resolution # 452

4. Two additional appointments for the Ad Hoc Recycling Committee from President Belen

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

To excuse Councilmember Lindemann from tonight's meeting.

Carried unanimously.

PUBLIC COMMENTS

Craig Rasmussen of South Rundle wished to thank Councilmembers for the approval for traffic controls in their area.

Roger Merrill stated he supported a no vote on proposal 2 for recycling and that it was strictly a labor issue to provide jobs for the union.

John Jones of 429 Dorrance Place submitted a petition from residents asking for traffic controls in the area of Genesee and Dorrance Place.

Frank X of 1137 W. Allegan mentioned a problem he had with a parking ticket and Judge Cherry.

Gary Andrews of 560 Brooklyn Blvd. stated that he talked with many citizens who felt that the representatives of Citizens for Public Recycling received rude treatment from Councilmembers at the August 6, 1990 Council meeting.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane wished to thank the voters for their passage of proposal 1 for parks.

REMARKS BY COUNCILMEMBERS

Councilmember Adado asked the status of the Diamond Reo site. Mayor McKane responded that most of the soil has been cleaned up but that a new type of pollutant has been found which will have to be dealt with.

A general discussion was held by all Councilmembers regarding downtown parking.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:40 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, August 20, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
August 20, 1990

The City Council of the City of Lansing, Michigan, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt and Worthington

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

By Councilmember Schmidt:

To approve the printed Council proceedings for July 23, 1990

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Adado:

To accept the following under suspension of the rules:

A resolution changing the date for the first Council meeting of September from the 3rd to September 5th due to the Labor Day Holiday.

2/ A letter from the City Attorney recommending a settlement between a police officer and the City.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. Special Assessment Rolls B-49 and B-50 for Sidewalk Repairs and Construction—Lands Bounded by Martin Luther King Jr. Blvd./Logan Street, Moores River Drive, Davis Avenue and Mt. Hope Avenue

Scott Goaton of 200 W. Edgewood Blvd. spoke on behalf of Edgewood Living Center. He requested an extension of the timeframe for payment of their assessment. Councilmembers provided Mr. Goaton with a form to complete requesting an extension.

Ellen Moore of 1620 Osband had some questions regarding the computation of her assessment. She was referred to Bob Clegg of the Public Service Department.

The City Clerk also read into the record a letter from William Gates, Vice President of All State Realty Group, protesting the special assessment.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Amendment to Chapter 292 of the Code of Ordinances to provide an Alternative Retirement Plan

There were no public speakers.

Councilmember Benavides stated that the Committee on Ways and Means will not be meeting on August 21, 1990, so they would have a delay in sending information regarding this Alternative Retirement Plan to the Committee of the Whole.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENTS

There were no public comments.

SPECIAL CEREMONIES

There were no Special Ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Letter from the Department of Natural Resources regarding a request received from the Board of Water and Light for a Permit to Construct Three Gravel Storage Bins in the Floodway of the Red Cedar River

REFERRED TO THE MAYOR

B. Petition received from Mark Hunt of 228 W. Hodge for Rezoning Z-17-90, 3030 South Cedar Street, from "A" Residential District to "F" Commercial District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letter from Peter Pasterz, Executive Director of the Recyclers of Ingham, Eaton & Clinton Counties, requesting consideration of the Diamond Reo Site for the Weekly Recycling Center

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

D. Letter from Peggy J. Murphy of 909 Britten regarding the Public Hearing for Sidewalk Repairs

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane commented on letters C1, C2, C3, C4, C5 and C6 on tonight's agenda.

Councilmembers Lindemann and Schmidt stated their concerns over any reduction in the DARE program.

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CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

APPROVALS:

Resolution #452A
August 20, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Daniel Allen Morris, Clifford William Montry
CLASS C LIQUOR: Omar's, 316-318 E. Michigan Avenue
LICENSE TRANSFER: (Transfer of Stock Interest)

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously

B. Information-Only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 13, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Recommendation supporting a Study for Alternate Regional Organizational Structures for the Implementation of Area Wide Solid Waste Management Programs

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES; COPY TO THE AD HOC COMMITTEE ON RECYCLING

2. Barricade Reports for Vivian Riddle and Baker/Bailey Areas

RECEIVED AND PLACED ON FILE

3. Recommendation for Acquisition of Property at 214 South Pennsylvania Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Report on Fast Trak Shuttle Useage

RECEIVED AND PLACED ON FILE

5. Agreement with the Lansing School District regarding DARE Program

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6.
Resolution #453A
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: August 13, 1990
SUBJ: Request for Public Hearing re: 920 N. Chestnut St., 4301 Christiansen Rd., 1106 W. Ionia St., 1119 Hickory St. (Garage Only)

The attached request for public hearing regarding the above-named properties is submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to set a Public Hearing for September 5, 1990, at 7:00 P.M. for the Make-Safe or Demolish for these Properties.

Carried unanimously

7. Request from the Muscular Dystrophy Association for a Waiver of Fees for the Use of Ranney Park

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letter of Resignation from Sidney Worthington of Lansing City Council

Council President Belen stated that City Council will receive applications to fill this vacancy.

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #454
COMMITTEE ON WAYS AND MEANS August 14, 1990
WHEREAS the City of Lansing received for 1990 a Michigan Equity Grant in the amount of $500,000 to be used for various projects specified in the grant agreement between the State of Michigan and the City, and

WHEREAS the Parks and Recreation Department of the City recommends that Project No. 1, Potter Park Zoo restroom/concession building funded in the amount of $95,000 be amended due to changes in the project that would delay implementation as originally planned, and

WHEREAS the Parks and Recreation Department requests that the project be amended as follows:

1. That $29,000 of the total $95,000 approved for the restroom/-concession building be used to cover the cost of construction drawings as intended, and

2. That the balance of the funds, $66,000, be utilized instead to pay in part the cost of converting the elephant exhibit into a new Rhino Exhibit, and to pay for the transport of two Rhinos to the zoo, and

WHEREAS the Lansing City Council concurs with these changes,

NOW THEREFORE BE IT RESOLVED that these changes are approved as requested and that the Administrator of the 1990

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Michigan Equity Grant is directed to formally request that the State of Michigan approve the amendment.

By Councilmember Benavides:

Carried unanimously

Resolution #455
BY COMMITTEE ON WAYS AND MEANS 8/20/90
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-91
That the following transfers be approved:

$5,000.00 from Reserve for Cont.—Bgt. Ctrl.
A/C 101-173901-992200-13055
5,000.00 to City Council-Bgt. Ctrl.
A/C 101-112101-992200-00000
(Temporary help during absence of Council Senior Legislative Assistant. To 101-112101-707000-0.)

$25,000.00 from Parks Expendable Trust—
Fund Balance A/C713-000000-390001-00000
25,000.00 to Parks & Rec.-Parks Expendable
Trust-Bgt. Ctrl. IA/C 713-833890-992200-00000
(Development of Ranney Park master plan. To 713-833890-970000-0 Ranney Park Improvements.)

The Balance in the Reserve for Contingency Fund after this transfer is $291,065.00

Submitted By:
Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides:

Carried unanimously

Resolution #456
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Nowc Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-052 which authorizes changing the existing forty-five (45) mile hour speed limit on Miller Road between Martin Luther King Jr. Blvd/Logan Street and Pleasant Grove Road to thirty (30) miles per hour.

By Councilmember Crawford:

Carried unanimously

Resolution #457
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, on February 27, 1984, the Lansing City Council issued a Commercial Facilities Exemption Certificate (CRD-2-84) to Ted L. Friedinger for a facility at 3808 S. Cedar Street; and

WHEREAS, Ronald R. Jones, Sr. and Kathleen A. Jones have applied for the transfer of this Commercial Facilities Exemption Certificate; and

WHEREAS, a public hearing was held on Ronald R. Jones, Sr. and Kathleen A. Jones application for an Exemption Certificate transfer on July 30, 1990 at which time all interested parties had a opportunity to be heard; and

WHEREAS, Ronald R. Jones, Sr. and Kathleen A. Jones have m or will meet the requirements for said Exemption Certificat transfer as required by Public Act 255 by the policies of thi Council; and

WHEREAS, this Council finds that the granting of this Exemptio Certificate transfer, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate for a renovated facility in Lansing Commercial Redevelopment District CRD-2-84, to Ronald R. Jones, Sr. and Kathleen A. Jones.

By Councilmember Adado:

Carried unanimously

Resolution #458
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the City Council has received an application from Auto-Air Composites, Inc. to establish a Lansing Industrial Development District on property located at 5640 and 5720 Enterprise Drive, Lansing, Michigan, more fully described on Attachment A, and

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Development District (IPR-6-90), to allow for any resident or taxpayer to have a right to appear and be heard; and,

NOW, THEREFORE, BE IT RESOLVED that such hearing be held in the Board of Education Meeting Roon at the Lansing School District Administration Building, 519 W. Kalamazoo, Lansing, Michigan on the 10th day of September, 1990, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City, and that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and that the City Council notify the owners of real property within the proposed Industrial Development District of this application and the scheduled public hearing.

By Councilmember Adado:

Carried unanimously

Resolution #460
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT due to the Labor Day holiday, the regular City Council meeting for the week of September 3, 1990, will be held on Wednesday, September 5, 1990.

By Councilmember Adado:

Carried unanimously

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Resolution #461
TO: Council President Lucile Belen and Members of the Lansing City Council
FROM: Alvan P. Knot, City Attorney
DATE: 8/16/90
SUBJECT: Holford V City of Lansing, Et Al.

The above matter involves a lawsuit filed against the City, the Lansing Police Department, and a Lansing Police Officer. The Plaintiff in this action maintains that he was assaulted and battered, falsely arrested and imprisoned, and that his civil rights under the United States Constitution were violated.

Subsequent to the discovery, a mediation panel awarded Plaintiff $4,500.00 after listening to argument by respective counsel. The City Attorney's office convinced Plaintiff's attorney that the matter was worth considerably less than the amount awarded by the mediation panel. In this regard, the attorney agreed to accept $3,750.00 as a full and final settlement. Based upon the above stated facts, it is the recommendation of this office and the Police Chief that this matter be settled for the total amount of $3,750.00.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Attorney.

Carried unanimously

ORDINANCES FOR INTRODUCTION

A. By the Committee on Public Services:

Resolution #459
By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to introduce an ordinance to amend Section 1424.01 of part Fourteen of the Code of Ordinances for the purpose of adopting the 1990 Edition of the National Electrical Code and to set a Public Hearing for September 5, 1990 at 7:00 P.M. regarding this amendment.

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ A resolution changing the date for the first Council meeting of September from the 3d to September 5th due to the Labor Day Holiday.

(Handled as Resolution # 460)

2/ A letter from the City Attorney recommending a settlement between a police officer and the City.

(Handled as Resolution # 461)

PUBLIC COMMENTS

Thomas Patrick of 1320 W. St. Joseph requested the assistance of the administration and of City Council for keeping undesirable people out of the South Lansing business district.

Muhammed Frank X of 1137 W. Allegan read an article from the State Journal from a person who felt that Councilmembers did not treat public speakers respectfully and stated that he agreed with this article.

Harry Fankboner of 203 Hill Street stated that his house has been broken into on several occasions and that he has had rocks thrown through his windows. He requested better police protection for his neighborhood.

Gary Andrews of 560 Brooklyn Blvd. invited Councilmembers to an event scheduled for Friday at 2:00 P.M.

Ellen Moore of 1620 Osband stated that she had met with Bob Clegg and that her problems with the sidewalk assessment have been resolved.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that the administration has been working to try to improve conditions in the Hill Street neighborhood.

The Mayor also informed everyone of the August 24th Tour de Michigan Bicycle Race and of the August 25th YMCA Corporate Challenge Races.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt asked the Mayor about Communication and Petition #C requesting use of the Diamond Reo site for a weekly recycling center. The Mayor explained the request and the plans for the Diamond Reo site.

Councilmember Lindemann thanked the administration for their help in cleaning up the Baker/Bailey Street neighborhood.

Councilmember Adado stated that the Lindell Drop Forge would be a likely site for a recycling center if litigation problems could be handled.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:25 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, August 27, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
August 27, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Ford, Lindemann, Schmidt and Worthington

ABSENT: Councilmember Crawford

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

CONSIDERATION OF LATE ITEMS

By Councilmember Ford:

To accept the following under suspension of the rules:

1/ Listing of names of 21 individuals who have applied for the Councilmember at Large opening. An additional 6 individuals applied at 5:00 P.M. today and have not as yet been added to this listing

2/ Letter from Robert and Georgia Brown of 1341 Emerson Street regarding the Councilmember at Large opening

3/ Councilmember Lindemann added a proposal from Composters, Inc.

Carried unanimously; Councilmember Crawford absent.

SPECIAL CEREMONIES

Council President Lucile Belen introduced representatives present from General Motors Corporation and read a resolution from the City Council recognizing General Motors Corporation for its economic and community impact in Lansing. Mayor Terry McKane and John Mulcrone of Representative Howard Wolpe's Office also joined in the tribute to General Motors.

PUBLIC HEARINGS

A. Special Assessment Roll #B321 for Curb and Gutter and Storm Sewer Construction on Cavanaugh Road, P.S. #66045

Benedict Novelo of 123 W. Cavanaugh submitted a petition from some residents of the area stating that they should not have to pay for the assessment six months before the work is to begin.

Frank Seibly of 200 W. Cavanaugh stated that he felt the sewers should be taken care of first and did not feel the curb and gutters were necessary.

Howard McCaffrey responded by stating that the City will be completing the sewer work first and that this will be paid for by the City.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. SLU-7-90—1507 Jerome Street to expand an Adult Foster Care Facility from Six to Seven Persons

There were no public speakers.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Approval of a Project Plan for Issuance of Limited Obligation Revenue Bonds for Auto-Air Composites, Inc.

There were no public speakers.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

PUBLIC COMMENTS

Tim Martinez of 721 Hunter Blvd. spoke in support of the traffic control order up for passage this evening.

Susan Marrah of 642 Hunter Blvd. also spoke in support of the traffic control order.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Crawford absent.

A. Letter from Representatives from Five Downtown Churches Opposing the Redevelopment Proposal for Capitol and Shiawassee Area

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Notice received from the Department of Social Services of the Issuance of a License for an Adult Foster Care Home to John & Mary Carson, 2337 Cumberland

REFERRED TO THE MAYOR

C. Letter from John Pollard of 1718 Blair Street requesting Appointment to the Recycling Ad Hoc Committee

REFERRED TO THE COUNCIL PRESIDENT

D. Letter from John Dougherty, President of the South Central Neighborhood Association, requesting Community Development Block Grant Funds for Purchase of a Community Center

REFERRED TO THE MAYOR

E. Letter from David O'Leary, President of O'Leary Paint, regarding the Suggested Placement of a Recycling Depot on the Diamond Reo Property

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REFERRED TO THE MAYOR,
AD HOC COMMITTEE ON RECYCLING AND
THE COMMITTEE ON PUBLIC SERVICES

F. Letters opposing SLU-7-90 for a Proposed Increase in Capacity for an Adult Foster Care Facility at 1507 Jerome Street

-from Kathleen DeLuca of 1527 Jerome Street
-from Arthur Radke, Administration Assistant for the Church of the Resurrection

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

G. Petition received from Residents of Beechwood and Palmer Area Requesting a Traffic Sign at this Intersection

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

H. Letter from Lloyd Ganton, President of Ganton Retirement Centers, requesting Extension of Time Payment Plan for Special Assessment Roll #B-50

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

I. Notice received from the Department of Social Services of the Closing of Adult Foster Care Homes Located at:

-1426 Vine Street
-1221 New York
-2920/2922 Averill Drive

REFERRED TO THE MAYOR

J. Petition for Rezoning Z-20-90 for 4722 North Grand River Avenue to be rezoned from "A" Residential and "J" Parking to "H" Light Industrial received from Pat Basgall of 4722 N. Grand River Avenue

REFERRED TO THE MAYOR AND THE PLANNING BOARD

K. Letter from Joseph Debnar of 1816 Osband Avenue protesting Sidewalk Assessment

REFERRED TO THE CITY ATTORNEY

L. Request for Waiver of Peddler's License Fee received from Dan Maynard of P. 0. Box 11007

REFERRED TO THE CITY ATTORNEY AND THE
COMMITTEE ON GENERAL SERVICES

M. Petition for Rezoning Z-18-90 for 233/35 North Pine Street to be rezoned from "DM-4" to "D-2" District received from Michigan Retailers Association of 221 N. Pine Street

REFERRED TO THE MAYOR AND THE PLANNING BOARD

N. Petition for Rezoning Z-19-90 for 229 North Pine Street to be rezoned from "DM-4" to "D-2" received from the Michigan Retailers Association of 221 N. Pine Street

REFERRED TO THE MAYOR AND THE PLANNING BOARD

O. Letter from Gary Johnson, President of Maxco, regarding Concession Stand in Area in Front of Grandview Plaza

REFERRED TO THE MAYOR

P. Letter from Christine E. Van Gilder appealing a Claim Denial

REFERRED TO THE CITY ATTORNEY AND THE
COMMITTEE ON GENERAL SERVICES

Q. Letter from Mark H. Canady of 3421 Tecumseh River Road Applying for Vacant City Council Seat

Council President Belen stated that the twenty-seven applicants for the vacant seat will all be asked one question and from the responses received Councilmembers will reduce the list of candidates to four or five who will receive in-depth interviews.

REFERRED TO THE COMMITTEE OF THE WHOLE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed letters regarding the trash violations, General Motors employees parking in the street near Fisher Body, the restoration being done to softball fields and his response to a request for a recycling depot at the Diamond Reo site.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #462
August 27, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Stephen Foster, Robert Smykay, John P. Hernandez, Daniel Allen Morris
VEHICLES FOR HIRE: John P. Hernandez

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Crawford absent.

B. Information-Only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 20, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Z-14-90—3818 South Cedar Street

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REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Z-13-90—3405 North East Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Z-10-90B—Vacant Lot Adjacent to and West of 1020 East Saginaw Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. SLU-8-90—1015/1017 North Cedar Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5.
Resolution #463
TO: Council President Lucile Belen and Councilmembers
FROM: Terry J. McKane, Mayor
DATE: August 21, 1990
SUBJ: Trash Violation Fee (V-21)—$1,681.75

The attached violation/assessment fees are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously; Councilmember Crawford absent

6. Parking Complaint—Shiawassee and Memphis Area

RECEIVED AND PLACED ON FILE

7. Ballfield Improvement Schedule

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8. Appointment of Connie Conklin to the Board of Fire Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. River Trail Easement Grant

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10. Public Improvement IV—P.S. 45036 for Sidewalk Improvements

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

11. Response to Recyclers Request for Use of Diamond Reo Site

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES, THE AD HOC COMMITTEE ON RECYCLING AND THE COMMITTEE ON WAYS AND MEANS

12. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letters from Councilmembers:

Request received from Councilmember Ford to Place a Stop Sign on Bedford at Cambridge

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

COMMITTEE REPORTS

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install a traffic signal at the intersection of Pleasant Grove Road and Reo Road reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request for a traffic signal at Pleasant Grove Road and Reo Road be denied. The committee has reviewed the report from the administration and concurs that the request for the installation of a traffic signal at the intersection of Pleasant Grove Road and Reo Road be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Schmidt:

That the report of the Committee be adopted.

YEAS: Adado, Belen, Benavides, Ford, Lindemann, Schmidt, Worthington

NAYS: None

ABSENT: Crawford

The Public Safety Committee

To whom was referred the Mayor's report on a petition request for placement of stop signs on Thomas Street at Gary Avenue, creating a four-way stop, reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install stop signs on Thomas Street at Gary Avenue be denied. The committee has reviewed the report from the administration and concurs that the petition request for placement of stop signs on Thomas Street at Gary Avenue, creating a four-way stop, be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Schmidt:

That the report of the Committee be adopted.

YEAS: Belen, Ford, Lindemann, Schmidt, Worthington

NAYS: Adado, Benavides

ABSENT: Crawford

RESOLUTIONS

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Resolution #464
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-056 which authorizes the installation of a stop sign on Riley Street at Sunnyside Avenue.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #465
BY THE COMMITTEE oN PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-034 which authorizes the installation of a five-way stop at the intersection of Maplehill Drive, Parkway Avenue and Hunter Boulevard.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #466
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-033 which authorizes the installation of a four-way stop at the intersection of Southgate Avenue and Hunter Boulevard.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #467
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-058 which authorizes installation of no turn on red signs on River Street at the intersection of Grand Avenue.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #468
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-060, which authorizes the rescinding of the no turn on red regulation for southbound traffic on Division Street at William Street, and 90-061, which authorizes the rescinding of the no turn on red regulation for southbound traffic on Pine Street at William Street.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #469
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-059 which authorizes the installation of yield signs on Greenbelt Drive at Ingham Street.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #470
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charles Lewis filed a claim against the City in the amount of $28.20 for relief from a sidewalk repair special assessment; and

WHEREAS, the City Attorney's Office denied the claim, based on the Council's resolution #127 of March 26, 1990, which set policy for consideration of such claims; and

WHEREAS, Mr. Lewis appealed the denial to the City Council and the General Services Committee reviewed the matter; and

WHEREAS, the Committee has determined that the portion of the March 26 policy which reads, "The claimant appeared, or submitted a claim, at or before the Public Hearing held on the Public Improvement made to the property in question..." is ambiguous due, to the terms "submitted" and "at or before", since the claimant's written statement was dated June 2, 1990, but was not received by the Clerk until June 5, 1990, which was one day after the public hearing; and

WHEREAS, the claimant's circumstances comply with all other elements of the March 26 policy, and the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Charles Lewis in the amount of $28.20; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED Resolution #127 adopted March 26 1990, is hereby clarified to reflect that the word "submitted" in subsection 2 of the second Resolved clause means "postmarked" if the claim arrives by mail after the public hearing.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

Resolution #471
COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, the City of Lansing is committed to preserving and improving its neighborhoods; and

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Whereas, the Green Oaks neighborhood is a neighborhood wherein the City is investing resources to encourage rehabilitation and improvement; and

Whereas, the structure located at 214 South Pennsylvania Avenue is a vacant and boarded HIJD-FIIA repossessed residential structure that is a blighting influence on the Green Oaks neighborhood; and

Whereas, HIJD-FHA is willing to sell the property located at 214 South Pennsylvania Avenue to the City; and

Whereas, the City administration has recommended the acquisition and demolition of this property; and

Whereas, the Council Committee on Physical Development concurs in the recommendation of the City administration;

Now, Therefore Be It Resolved by the City Council of the City of Lansing that the City administration be and is hereby authorized to acquire the property located at 214 South Pennsylvania Avenue, legally described as the North ½ of Lot 7, Block 8, Green Oak Addition, and to subsequently demolish the structure located thereon; and

Be It Further Resolved that the costs of acquisition and demolition authorized herein shall be charged to the Community Development Block Grant program; and

Be It Finally Resolved that the City administration, subsequent to the completion of the acquisition and demolition activities authorized herein, be and is hereby authorized to split the cleared land and to sell it to the two (2) adjacent property owners at a price of one ($1.00) dollar per front foot, plus closing costs.

By Councilmember Worthington:

Carried unanimously; Councilmember Crawford absent

Resolution #472
PUBLIC IMPROVMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the special assessment roll #B49 for sidewalk improvements (PS #45036)

PROPERTY BENEFITED: All lands bounded by Martin Luther King Jr. Blvd/Logan Street, Moores River Drive, Davis Avenue and Mt. Hope Avenue, excepting all public streets and alleys and other land deemed not benefited.

That the special assessment roll #B50 for sidewalk construction (PS #45036)

PROPERTY BENEFITED: All lands on Edgewood Blvd. from 200 W. Edgewood Blvd. to Cedar Street, also on Amwood Drive and American Road south of Edgewood Blvd., excepting all public streets and alleys and other land deemed not benefited.as returned by the City Assessor, be ratified and confirmed, and the Mayor be directed to affix within ten days his warrent directing the City Treasurer to collect said tax on or before the 27th day of November, 1990.

By Councilmember Worthington:

Carried unanimously; Councilmember Crawford absent

Resolution #473
LANSING CITY COUNCIL

RESOLUTION TRIBUTE TO GENERAL MOTORS

WHEREAS, Oldsmobile Motors was first incorporated in the City of Lansing in 1897, over ninety years ago; and

WHEREAS, the Olds Motor Works became a part of General Motors over eighty years ago in 1908; and

WHEREAS, Oldsmobile and Fisher Body were brought together by General Motors over 66 years ago in 1924; and

WHEREAS, today, General Motors occupies a combined total of over 14 million square feet in our region and produces more passenger cars here than in any other General Motors location in the entire United States; and

WHEREAS, the economic impact on this city and region is immense with its employment of over 19,000 with an annual payroll of $815 million that have produced more than 420,000 automobiles annually; and

WHEREAS, General Motors is the largest property tax payer within the City and paid over $1.7 billion in 1989 to area and Michigan suppliers providing overwhelming economic impact to our entire region and the state; and

WHEREAS, the growth and the many changes in General Motors has provided local citizens with diversified employment opportunities, and has assisted civic and community groups in their endeavors through their charitable, philanthropic and personnel commitment;

THEREFORE, BE IT RESOLVED, that the City Council of Lansing does hereby acknowledge and recognize the scope, magnitude and the contribution made by the entire General Motors Team to our City; and

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Lansing expresses its great appreciation to General Motors for its economic and its community commitment to make Lansing's quality of life one of Michigan's finest.

By Councilmember Schmidt:

Carried unanimously; Councilmember Crawford absent

ORDINANCES FOR INTRODUCTION

Resolution #474
NOTICE OF A PUBLIC HEARING

By Physical Development Committee

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, September 24, 1990, at 7:00 p.m. in the Board of Education Meeting Room of the Lansing School Administration Building located at 519 W. Kalamazoo Street for the purpose of taking public input on the new Sign Code Ordinance.

Interested persons are invited to attend this meeting.

By Councilmember Worthington:

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Carried unanimously; Councilmember Crawford absent

Resolution #475
By the Committee on Physical Development:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, September 10, 1990, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School Administration Building located at 519 W. Kalamazoo Street for the purpose of taking public input on the Industrial Pre-Treatment Program Ordinance.

Interested persons are invited to attend this meeting.

By Councilmember Worthington:

Carried unanimously; Councilmember Crawford absent

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Listing of names of 21 individuals who have applied for the Councilmember at Large opening. An additional 6 individuals applied at 5:00 p.m. today and have not as yet been added to this listing.

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Letter from Robert and Georgia Brown of 1341 Emerson Street regarding the Councilmember at Large opening

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ Councilmember Lindemann added a proposal from Composters, Inc.

REFERRED TO THE MAYOR

MOTION OF EXCUSED ABSENCE

By Councilmember Ford:

To excuse Councilmember Crawford from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Karen Reynolds of 557 Robert St. stated that residents of Robert St. are having difficulty getting out onto Cedar Street due to the construction in process.

Mildred Gordon of 131 S. Magnolia submitted a petition from residents regarding problems they are experiencing with two rental properties located at 139 South Magnolia and 200 South Magnolia.

Michael Yost of 133 S. Magnolia also discussed the problems being experienced with these two rental properties on South Magnolia.

Council President Belen stated that problems had been reported to her with a property on Wabash Street which is owned by the Lansing Housing Commission. Councilmember Benavides stated that he checked out a big problem with a party at 3608 Berwick over the week-end.

Gary Andrews of 560 Brooklyn Blvd. thanked Councilmember Adado and Mayor McKane for attending the presentation of his artwork.

Stuart Reynolds of 557 Robert St. stated that kids in the area are having problems finding a place to cross Cedar Street and also that they have no place to play in the area.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane congratulated City teams who participated in the YMCA Corporate Challenge last week-end. The Mayor reminded everyone that residents who have trash picked up on Mondays will not receive a trash pickup on September 3rd due to Labor Day. Their trash will not be picked up until Monday, September 10, 1990.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt asked the Mayor to do what he could to correct the problem of only one phone line being listed for District Court calls for many types of actions. She stated that the Information Desk personnel are experiencing difficulties because individuals cannot get through to the Court and call them for help. Councilmember Schmidt also advised viewers that the City is in need of additional school crossing guards and that they should contact the Personnel Office if they are interested in becoming a crossing guard.

Councilmember Ford stated that the condition of the street in the 1100 block of Cawood is very poor and requested the administration check this out. He extended best wishes to Councilmember Worthington.

Councilmember Worthington extended thanks to many people upon his departure from City Council.

Councilmember Adado also extended best wishes to Councilmember Worthington and asked the Mayor four questions that he would like checked out. The Mayor responded to two of these immediately by stating that the investigation of the problem with overtime in the Finance Department has been completed by Internal Affairs and that he expects a report shortly. He also is expecting a letter from the Police Board responding to the Fraternal Order of Police's request for a relaxation of requirements for the position of Chief of Police. The Mayor stated that he would respond later to questions regarding the new retirement system and the prefunding of the employee health plan.

Council President Belen announced that next week's Council meeting will be held on Wednesday, September 5, 1990, instead of the 3rd, due to Labor Day.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:53 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, September 5, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
September 5, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Schmidt

ABSENT: Councilmember Lindemann (NOTE: Councilmember Lindemann arrived at 7:10 P.M.)

The Invocation and Pledge of Allegiance were led by Mayor Terry J. McKane.

CONSIDERATION OF LATE ITEMS

By Councilmember Crawford:

To accept the following under suspension of the rules:

1/ Resolution regarding Acceptance of Grant Funds for Two Police Officers

2/ Resolution regarding Recyclers of Ingham, Eaton and Clinton Counties

3/ Claim of Michael Pearson

4/ Resolution regarding Union Label Week

5/ Community Correction Board Appointments

6/ Information from the Committee on General Services regarding the keeping of Wild Animals as Pets

Carried unanimously.

PUBLIC HEARINGS

A. Make-safe or Demolish for Property Located at 920 N. Chestnut Street

There were no speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. Make-safe or Demolish for Property Located at 4301 Christiansen Road

Rodney Kik of 346 E. State Street, representing Financial Group 1000, owners of this property, requested permission to begin work on this property

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Make-safe or Demolish for Property Located at 1106 W. Ionia Street

There were no speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Make-safe or Demolish for Property Located at 1119 Hickory Street (Garage Only)

John Salmons of the City Building Department stated that building repairs have been made and that the City will not be taking any further action with regards to this property.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. Amendment to Section 1424.01 of Part Fourteen for the Purpose of Adopting the 1990 Edition of the National Electrical Code

There were no speakers for this hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

There were no Public Comments.

SPECIAL CEREMONIES

Mayor Terry J. McKane presented a proclamation to Laura Clark naming September 3-8, 1990 as Union Label Week. Councilmember Benavides then presented a proclamation to Ms. Clark for Union Label Week.

COMMUNICATIONS AND PETITIONS

By Councilmember Adado:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Letter from Daniel Morgan of the Land and Water Management Division regarding Proposed Modifications to a Board of Water & Light Building; Service #9008-120

REFERRED TO THE MAYOR

B. Letter from Julie Avery of 4220 Stabler Avenue regarding Sidewalk Assessment Roll B-321, P.S. #66045

REFERRED TO THE MAYOR

C. Letter from Louis Eyde of Eyde Company requestihg that Two Meters at their Knapps Office Center on Washtenaw Avenue be Removed

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

D. Audit for the Greater Lansing Convention/Exhibition Authority received from Deloitte & Touche for the Year Ending June 30, 1990

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letter from Jerome Papciak of Waverly Community Schools enclosing 1990 Certification of Tax Levy

REFERRED TO THE MAYOR

MAYOR OR EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

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Mayor McKane reviewed his letters numbered D1, D2, D4, D5, D6, D8 and D10 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #476
September 5, 1990

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVERS: Garry Wayne Dudley, Elmer Ellsworth Hendershot, Jr.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously.

B. Information-Only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 27, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letter from City Attorney's Office providing Notice of Hearing on the City's Petition to Strike from Tax Rolls

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Udate regarding Contract with Recyclers of Ingham, Eaton and Clinton Counties

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2.
Resolution #477
August 30, 1990

Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

I hereby recommend that the City and the Lansing School District jointly create "Drug Free School Zones". The Police Chief's evaluation and a draft resolution are attached.

The Board of Education is scheduled to approve their resolution on September 6, 1990. I strongly recommend that the Council act on September 5, 1990.

Thank you.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Schmidt:

Carried unanimously

3. Special Assessment Bond Resolution

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Appointment of Suzanne Sawyer-Burleson to Historic District Commission

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5. Appointment of Elliot B. Glicksman to Elected Officers Compensation Commission

REFERRED TO THE COMMITTEE OF THE WHOLE

6. Appointment of John Ethan Page to Waterfront Development Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7.
Resolution #478
PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the special assessment roll #321 for the curb and gutter, and sidewalk construction on Cavanaugh Road (PS 66045),

PROPERTY BENEFITED CURB AND GUTTER: All lands fronting on Cavanaugh Road from Lowcroft to Stabler Road excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED SIDEWALK: All lands fronting on Cavanaugh Road from 125 feet west of Lowcroft Road to 371 feet west of Stabler Road on the north side of Cavanaugh and from Lowcroft Road to 359.08 feet west of Stabler Road on the south side of Cavanaugh Road excepting all public streets alleys and other land deemed not benefited.

as returned by the City Assessor, be ratified and confirmed, and the Mayor be directed to affix within ten days his warrant directing the City Assessor to mail the assessments to the property owners on the Ist of May, 1991, and the City Treasurer to collect said tax on or before the Ist day of August, 1991.

By Councilmember Schmidt:

Carried unanimously

8. Barricade Report

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RECEIVED AND PLACED ON FILE

9.
Resolution #479
August 29, 1990
Council President Lucile Belen and City Councilmembers
IOth Floor, City Hall
Lansing, MI 48933

Dear President Belen and Councilmembers:

RE: Recommended Ordinance Change for the Position of Police Chief

Attached you will find a communication from the Board of Police Commissioners recommending a change in the Code of Ordinances which outlines the minimum requirements for the position of Police Chief.

I concur with the intent of the Board's recommendation and have met with staff to draft language that reflects both their intent as well as mine. That language change is included in the attached amended draft ordinance—Section 288.06 of Chapter 288 of Title 10 of the Code of Ordinances of the City of Lansing.

This ordinance amendment is submitted for your review and adoption. Thank you for your consideration.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Schmidt:

To introduce this ordinance and set a Public Hearing for September 24, 1990

Carried unanimously

10. Show Licenses—Lansing Center and Civic Arena

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

11. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #480
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 2800-3700 Collins Road, more fully described on Attachment A; and

WHEREAS, Himont Advanced Materials has submitted an application for an Industrial Facilities Exemption Certificate for the construction of a new facility within said Industrial Development District at 2727 Alliance Drive ; whose description is more fully described on Attachment B; and

WHEREAS, a hearing was held on Himont Advanced Materials application for an Exemption Certificate on August 13, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Himont Advanced Materials has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing approves the application from Himont Advanced Materials for an Industrial Facilities Exemption Certificate (IPR-5-90), to remain in effect for a period of twelve (12) years.

By Councilmember Adado:

Carried unanimously

ATTACHMENT "A"

LEGAL DESCRIPTION
That part of Sections 25, 26 and 36 and the entire plat of University Park, as recorded in Liber 20 of Plats, Page 40, Ingham County records, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan; beginning at the West ¼ corner of Section 25 and running N89 50'57"W, on the East-West ¼ line of Section 26, 320.08 feet to a point 103.0 feet, as measured at right angles to the centerline of North Bound U.S. 127; thence on the Easterly Right-of-Way line of U.S. 127 the following five courses: S00 16'22"W 86.91 feet to a point of curvature; thence Southeasterly 968.89 feet on the arc of a 3716.72 foot radius curve to the left whose central angle is 14 56'10" and whose chord bears S07 11'44"E 966.15 feet to a point of tangency; thence S14 39'49"E 1507.13 feet to a point of curvature, thence Southeasterly 1025.06 feet on the arc of a 3922.69 foot radius curve to the right whose central angle is 14 58'20" and whose chord bears S07 10'39"E 1022.14 feet to a point of tangency; thence S00 18'32"W 284.40 feet to a point on the North line of a parcel of land described in Liber 4 of Surveys, Page 853, Ingham County Records; thence S89 39'53"E, on the North line of said parcel, 1000.70 feet to the construction centerline of Collins Road; thence N00 27'32"W, on the construction centerline of Collins Road, 1153.65 feet to the North line of Section 36; thence N00 23'26"E, on the construction centerline of Collins Road (also being the East line of the West ½ of the Southwest ¼ of Section 25) 1725.62 feet to a point of curvature; thence Northeasterly 713.13 feet on the arc of a 916.73 foot r@dius curve to the right, whose central angle is 44 34'15" and whose chcord bears N22 40'34"E 695.28 feet to the intersection of Right-of-Way centerline of Forest Road relocated; thence N44 47'19"W, on said Right-of-Way centerline 237.85 feet, to a point of curvature; thence Northwesterly 303.43 feet on the arc of a 386.34 foot radius curve to the left whose central angle is 44 59'59" and whose chord bears N67 17'19"W 295.69 feet to a point of tangency, which lies on the East-West ¼ line of Section 25; thence N89 47'19"W, on said ¼ line, 1139.15 feet to the West ¼ corner of Section 25 and the point of beginning.

The above described parcel containing 114.8658 acres, more or

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less.

ATTACHMENT "B"

LEGAL DESCRIPTION OF PREMISES

That part of the Northwest ¼ of the Southwest ¼ and the Northeast ¼ of the Southwest ¼ of Section 25, Town 4 North, Range 2 West, city of Lansing, Ingham County, Michigan beginning at a point on the East-West ¼ line S89°47'19"E 513.60 feet from the West ¼ corner of said Section 25; thence continuing S89°47'19"E, on the East-West ¼ line, 625.55 feet to a point of curvature; thence Southeasterly 303.43 feet on the arc of a 386,34 foot radius curve to the right whose central angle is 44°59'59" and whose chord bears S67°17'19"E 295.69 feet to a point of tangency; thence S44°47'19"E 237.85 feet to the construction centerline of Collins Road relocation; thence Southwesterly 476.53 feet on the arc of a 916.73 foot radius curve to the left whose central angle is 29°46'59" and whose chord bears S30°04'12"W 471.18 feet thence N89°47'19"W 705.28 feet thence Northwesterly 214.41 feet on the arc of a 433.00 foot radius curve to the left whose central angle is 28°22'19" and whose chord bears N9°39'13k"W 212.23 feet to a point of tangency thence N23°500'22"W 139.84 feet to a point of curvature; thence Northwesterly 162.45 feet on the arc of a 387.00 foot radius curve to the right whose central angle is 24°03'05" and whose chord bears N11°48'51"W 161.26 feet to a point of tangency; thence N0°12'41"E 195.46 feet to the East-West ¼ line and the point of beginning.

The above described parcel containing 13.8073 acres, more or less. Subject, however, to the life estate of Helen C. Good real property consisting of .2271 acres, more or less, legally described as follows:

Beginning at the center of Section 25, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, thence N89°47'19"W 1317.73 feet; thence S0°23'26"W 660.00 feet at the point of beginning; thence S0°23'26"W 29.98 feet; thence N89°47'19"W 330.00 feet; thence N0°23'26"E 29.98 feet; thence S89°47'19"E 330.00 feet to the point of beginning. Containing 0.2271 acres, more or less.

Resolution #481
BY ECONOMIC DEVELOPMENT COMMITTEE

RESOLUTION APPROVING PROJECT PLAN AND ISSUANCE OF BONDS

(Auto-Air Composites, Inc. Project)

WHEREAS, this City Council has given notice pursuant to Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the
"Act") and Section 147 (f) of the Internal Revenue Code of 1986, as amended ("Code"), of a public hearing which was held earlier by this City Council on August 27, 1990, relative to (i) the Project Plan for the Auto-Air Composites, Inc. Project (the "Project") of The Economic Development Corporation of the City of Lansing(the "Issuer") and (ii) the issuance of bonds by the Issuer to assist in the financing of the Project; and

WHEREAS, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and the issuance of bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

WHEREAS, this City Council desires to express its approval of said Project Plan and the Project described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to request the Issuer to proceed with the Project and the financing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed $4,300,000 in aggregate principal amount of limited obligation economic development bonds described in the Project Plan as is required by the Code.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

By Councilmember Adado:

Carried unanimously

Resolution #482
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, SIDNEY PARKER WORTHINGTON has resigned his seat on the City Council to pursue his study of the law at King's College, Oxford University, in London; and

WHEREAS, since his first election in November 1979, Sid has devoted countless hours to the Council's business as an At-Large Councilmember, serving as Council Vice President in 1982, Chairperson of the Physical Development Committee during 1980-81 and again during 1988-90, Chairperson of the Ways &

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Means Committee during 1982-83, and Chairperson of the General Services Committee during 1984-87; and

WHEREAS, Sid was a community leader in the development and approval of the 1978 City Charter, and has been the Council's primary author of City policies on many large issues, including the Parking System expansion, the Zoning Code, Historic Districts, the Sign Code, Master Plan revisions, fair housing, human relations and personnel rules, cable television, infrastructure improvements, and the Municipal Golf program; and

WHEREAS, during 1985-87, working closely with the City Attorney, City Clerk, and every element of the Mayor's Administration, Sid directed the mammoth project to completely revise the City Code of Ordinances, resulting in an up to-date and coordinated system of local laws;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby pays special tribute to SIDNEY P. WORTHINGTON for his nearly 11 years of outstanding service to the Citizens of Lansing as an At-Large Councilmember; and

BE IT FURTHER RESOLVED the remaining members of Council wish Sid, his wife Lezlee, and their children success and happiness as they pursue their dreams in London.

September 5, 1990

By Councilmember Benavides:

Carried unanimously

Resolution #483
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, BOARSHEAD: MICHIGAN PUBLIC THEATER is celebrating its 25th Anniversary during the 1990-91 season at its home in The Center for the Arts, 425 South Grand Avenue; and

WHEREAS, since its founding as a summer stock, family theater called The Ledges Playhouse in 1966 by John Peakes and Richard Thomsen, Boarshead: Michigan Public Theater has grown in stature and impact as a professional theater, drawing more than 20,000 people to downtown Lansing during the 89-90 season while training future actors through its internship program; and

WHEREAS, castmembers in Boarshead productions are professional actors belonging to Actors' Equity Association, and the theater has gained national fame for producing the premiere of more than 50 new plays; and

WHEREAS, the Boarshead is a great source of pride for the Capital City;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this Fifth Day of September, 1990, hereby commends the board of trustees, resident actors, administrative and technical staff, volunteers, and patrons of BOARSHEAD: MICHIGAN PUBLIC THEATER for their outstanding contributions to the quality of life for residents of the Greater Lansing area during the past 25 years.

By Councilmember Benavides:

Carried unanimously

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-18-90—233-235 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District

Z-19-90—229 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District

were introduced by Councilmember Belen, read a first and second time by their titles and referred to the Committee on Physical Development.

Resolution #484
August 30, 1990
By Councilmember Belen:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 24, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School District Administration Building, for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-18-90—233/235 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District.

Z-19-90—229 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District.

By Councilmember Lindemann:

Carried unanimously

INTRODUCTION OF ORDINANCE

August 30, 1990
The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the District Maps adopted by Section 1246.02 of the Code for property located at:

Z-10-90B—Vacant lot west and adjacent to 1020 East Saginaw Street from "D-1" Professional Office District to "F" Commercial District.

Z-13-90—3405 North East Street to be rezoned from "A" Residential District to
"G-2" Wholesale District.

Z-14-90—3818 South Cedar Street to be rezoned from "A" Residential District, "F" Commercial District and "J" Parking District to "F" Commercial District

were introduced by Councilmember Belen, read a first and second time by their titles and referred to the Committee on Physical Development.

Resolution #485
August 30, 1990

By Councilmember Belen:

Resolved by the City Council of the City of Lansing that a public

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hearing be set for Monday, October 1, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School District Administration Building, for the purpose of opposing and/or approving the Ordinances for rezoning:

Z-10-90B—Vacant lot west and adjacent to 1020 East Saginaw Street from "D-1" Professional Office District to "F" Commercial District.

Z-13-90—3405 North East Street to be rezoned from "A" Residential District to "G-2" Wholesale District.

Z-14-90—3818 South Cedar Street to be rezoned from "A" Residential District, "F" Commercial District and "J" Parking District to "F" Commercial District.

By Councilmember Lindemann:

Carried unanimously

Resolution #486
TO: City Council President Lucile Belen and Members of the Lansing City Council
FROM: Alvan P. Knot, City Attorney
DATE: 9/4/90
SUBJECT: Claim of Michael Pearson

The above matter arises out of an incident where a Lansing Police Officer and his K-9 were attempting to apprehend a suspect for committing a violation of the City Code. At some point during the chase, the officer released the K-9, who continued to chase the suspect around a corner where it came into contact with a Michael Pearson. Mr. Pearson was a casual passerby and was not involved in the code violation incident. Mr. Pearson sustained some minor injuries. After some discussion with Mr. Pearson's attorney, a conditional agreement was reached, which would compensate Mr. Pearson $1,075.70 for his injuries and serve to represent a full and final settlement.

It is the recommendation of the Mayor, the Police Chief, and this office that Council approve settlement for $1,075.70.

By Councilmember Benavides:

To accept the recommendation of the Mayor, the Police Chief and the City Attorney.

Carried unanimously.

Resolution #487
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, organized labor has always led the fight to improve the lot of all American workers; and

WHEREAS, labor organizations remain in the forefront of battles to protect consumer rights and secure justice and equality for all citizens; and

WHEREAS, foreign imports are pushing American products out of the market, causing plant closings, unemployment and an unparalleled imbalance of trade; and

WHEREAS, we can protect the American economy by insisting on buying American made products; and

WHEREAS, The Union Label and Service Trades Department, AFL-CIO, each year sponsors UNION LABEL WEEK to salute those hallmarks that are uniquely American;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby urges the Citizens of Lansing to actively support UNION LABEL WEEK, September 3-8, 1990, by seeking out those products known to be MADE IN THE U.S.A.

By Councilmember Benavides:

Carried unanimously

Resolution #488
RESOLVED BY THE WAYS AND MEANS COMMITTEE

WHEREAS, grant funds became available through the State of Michigan, Office of Criminal Justice, for community-based police officers; and

WHEREAS, the City submitted a grant application for two officers for the East Central and South Central Neighborhood Watch areas (bounded by Baker Street, South Washington Avenue, Mount Hope, and South Cedar Street); and

WHEREAS, the City was recently advised that a grant in the amount of $100,000 a year for two years has been approved; and

WHEREAS, the cost to the City is projected to be approximately 10% in the second year; and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City council approves acceptance of the State grant funds in the amount of $200,000 for two community-based police officers for two years; and

BE IT FINALLY RESOLVED, that authority for these two positions within the Police Department Table of Organization shall terminate upon expiration of grant funding by the State of Michigan.

By Councilmember Benavides:

Carried unanimously

Resolution #489
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Recyclers of Ingham, Eaton and Clinton Counties have requested consideration of the Diamond Reo property as a site for a recycling drop-off center; and

WHEREAS, the Mayor has recommended denial of the request because the Diamond Reo property is reserved for private economic development, not public use, under the terms of the federal Economic Development Administration grant used to purchase the property; and

WHEREAS, the Committee on Public Services has reviewed this matter and concurs with the Mayor's recommendation regarding the Diamond Reo property; and

WHEREAS, the Committee further recommends that the Council request immediate action by the Mayor to assist the Recyclers in locating a site, as well as other specifics contained in the FY 90-91

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budget appropriation to the Recyclers;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby denies the request from the Recyclers of Ingham, Eaton and Clinton Counties to use a portion of the Diamond Reo property as a recycling drop off center; and

BE IT FURTHER RESOLVED the Council requests the Mayor to provide a recommendation within two weeks on the feasibility of using either the C & J property or the Lindell Drop Forge property as a site for a recycling drop-off center; and

BE IT FURTHER RESOLVED the Mayor is requested to direct the Planning and Municipal Development Department to work with the Recyclers of Ingham, Eaton and Clinton Counties staff to locate and develop an acceptable site for a recycling drop off center.

By Councilmember Lindemann:

That this resolution be considered read.

Carried unanimously.

By Councilmember Benavides:

That this resolution be amdned by removing the first "BE IT FURTHER RESOLVED" paragraph.

YEAS: Belen, Benavides, Crawford

NAYS: Adado, Ford, Lindmann, Schmidt

By Councilmember Lindemann:

That this resolution be adopted.

YEAS: Adado, Belen, Crawford, Ford, Lindemann, Schmidt

NAYS: Benavides

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1 / Resolution regarding Acceptance of Grant Funds for Two Police Officers

(Handled as Resolution #488)

2/ Resolution regarding Recyclers of Ingham, Eaton and Clinton Counties

(Handled as Resolution #489)

3/ Claim of Michael Pearson

(Handled as Resolution #486)

4/ Resolution regarding Union Label Week

(Handled as Resolution #487)

5/ Community Correction Board Appointments

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Information from the Committee on General Services regarding the keeping of Wild Animals as Pets

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE CITY ATTORNEY

PUBLIC COMMENTS

There were no Public Comments.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane extended congratulations to all who helped organize Capital City Riverfest, Gus Macker, the Lighted Float Parade and other events that were so successful this past weekend.

REMARKS BY COUNCILMEMBERS

Councilmember Adado asked Mayor McKane to check into a report he received that employees of the Finance Department are being required to work 30-35 hours of mandatory overtime each week.

Councilmember Ford asked when it would be known if the Gus Macker contract would be renewed for next year.

Councilmember Schmidt wanted to know if any of the revenues from Riverfest were used to help in the clean up efforts. She also stated that she felt the Jaycees needed to provide better security within the beer tent at Riverfest if their contract is to be renewed next year.

Councilmember Lindemann stated that the streets are still closed at Horton Street and Alvin Court by the National Guard Armory and that we need a commitment to solve problems created by these closings.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:17 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, September 10, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
September 10, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Crawford, Ford, Lindemann and Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

CONSIDERATION OF LATE ITEMS

By Councilmember Ford:

To accept the following under suspension of the rules:

1/ Resolution for Lansing City Council to join the Hispanic community in celebrating Mexican Independence Day

2/ Letter from Hector and Tina Ovalle requesting Sewer Service for 3605 W. Michigan Avenue

3/ Letter from Floyd Fanselow of 542 Pacific Avenue questioning need for a Sidewalk

Carried unanimously.

PUBLIC HEARINGS

A. Establishment of an Industrial Development District requested by Auto-Air Composites, Inc.

There were no speakers for this hearing.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

B. Amendment to Chapter 1046 of the Code of Ordinances regarding Industrial Pretreatment Program

There were no speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

SWEARING IN CEREMONY FOR NEW COUNCILMEMBER

Resolution #490
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, At-Large Councilmember Sidney P. Worthington's resignation has created a vacancy on the City Council; and

WHEREAS, the Charter authorizes the Council, by a majority vote of memlers serving, to "appoint a qualified person to fill the office until January first following the earliest November general election at which a successor can be elected;" and

WHEREAS, the Council Committee of the Whole has reviewed the applications and interviewed 27 individuals who expressed interest in filling the vacancy;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this Tenth Day of September, 1990, hereby appoints Mark Howard Canady to serve as an At-Large Councilmember and complete the term that ends January 1, 1992.

By Councilmember Lindemann:

Carried unanimously

PUBLIC COMMENTS

Gasper Covello of 4116 Apple Tree stated that he has been a crossing guard for the City for some time but that he was rejected for hearing problems. He asked Council to help him get his job back.

REFERRED TO THE MAYOR

SPECIAL CEREMONIES

There were no Special Ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Notice from the Department of Social Services of a License Issued for an Adult Foster Care Home to:

-Vicki George and Jean Stoken of 230 North Sycamore

RECEIVED AND PLACED ON FILE

B. Notice from the Department of Social Services of Licenses Issued for Foster Family Group Homes for Children to:

-Martha Smith of 3812 Maybel
-Carl and Sue Robert, 6312 Grovenburg Road

RECEIVED AND PLACED ON FILE

C. Notice from the Department of Social Services of an Application for a License to operate an Adult Foster Care Medium Group Home to be known as Transitional Living House at 616 W. Shiawassee Street

REFERRED TO THE MAYOR

D. Letter received from P. Beber of 711 Brook regarding Nuisance

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Fee Billing Received

REFERRED TO THE CITY ATTORNEY

E. Petition received from residents of Riley/Grant/Roberts Lane requesting Two-Way Stop Signs at the Intersection of Riley Street (east and west bound) and Grant Street

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

F. Notice received from the Department of Natural Resources of a Permit being Issued to Marvin Maynard to Construct a 9'x15', Building Addition in the Floodplain of the Red Cedar River

REFERRED TO THE MAYOR

G. Letter from Sherry Trafford of 1600 Vermont concerning Sidewalk Assessment

REFERRED TO THE CITY ATTORNEY

H. SLU-6-90 5400 =/- South Logan/Martin Luther King, Jr. Blvd. for Church to be built

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd Commented on the Mayor's letters C1 and C5 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #491
September 10, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: David Gantenbein

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously.

B. Information-Only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 5, 1990, for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Appointment of David "Michael" Boles to the Human Resources Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2.
Resolution #492
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: September 6, 1990
SUBJ: Request for Public Hearing re:
422 Liberty Street
226 South Hosmer
909 West Kalamazoo
4917 Starr Avenue
2113 Marcus Street
1233-35 North Walnut

The attached request for public hearing regarding the above-named properties is submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Resolved by the City Council, City of Lansing, to set a public hearing on the above properties for September 24, 1990.

Carried unanimously

3. Barricade Reports

RECEIVED AND PLACED ON FILE

4. Grand Trunk Western Railroad Company Property Acquisition—South Street Complex

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Appointment ofJohn T. Truscott to the Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. Bulk Pick-up Sticker Program

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

7. Recommendation regarding Special Assessment Installment Payments

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Industrial Development District Review—Auto-Air Composites, Inc.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

9. Recommendation regarding Development of Site E-1, E-2 (Washington/Lenawee/Grand/Kalamazoo)

RECEIVED AND PLACED ON FILE

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COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

There were no Resolutions except those handled in Sections VI and XI and a late item Resolution.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Resolution for Lansing City Council to join the Hispanic community in celebrating Mexican Independence Day.

Resolution #493
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS,the Mexican-American community and the greater Lansing Community at-large will celebrate the 180th anniversary of Mexican Independence on September 16, 1990 as part of Hispanic Heritage Month proclaimed by President Bush and Governor Blanchard; and

WHEREAS, September 16th is celebrated because it was on that date in 1810 that Father Hidalgo, a mestizo Catholic priest led the first insurrection to liberate the indigenous people of Mexico from Spanish oppression, although independence was not achieved until 1821; and

WHEREAS, on September 16, 1810, Father Hidalgo rang the bell of his parish church with the shout "Mexicanos, Viva Mexico!" (long live Mexico!); and

WHEREAS, this historic day will be commemorated in Lansing by the Hispanic Cultural Center with a cultural festival,

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council joins the Hispanic community in celebrating one of the most important events in Mexican history: Mexican Independence Day.

By Councilmember Benavides:

Carried unanimously

2/ Letter from Hector and Tina Ovalle requesting Sewer Service for 3605 W. Michigan Avenue

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ Letter from Floyd Fanselow of 542 Pacific Avenue questioning need for a Sidewalk

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

By Councilmember Lindemann:

To suspend the rules to accept one additional item:

Carried unanimously.

4/ Letter of Intent regarding Recycling received from Burr Universal Resource Recovery, Inc.

REFERRED TO THE AD HOC COMMITTEE ON RECYCLING

PUBLIC COMMENTS

Frank X of 1137 W. Allegan congratulated Mark Canady on his appointment to City Council.

Fawn Vanclie of 2756 E. Grand River Avenue, East Lansing, had some questions regarding the Physical Development meeting on the Industrial Pretreatment Program. She was referred to Howard McCaffrey and to check with City Council for meeting date.

Marshall Teplin of 1735 Lyons stated that he felt the location of the barricades in the Baker/Bailey area was not appropriate and that they could be moved.

Gregory Smith of 1110 E. Saginaw stated that he was present to represent the owners of the property at 2113 Marcus Street. This property was on tonight's agenda to set a public hearing for make-safe or demolish. Mr. Smith stated that the owners are willing to make the necessary repairs to this property. Mr. Smith was told that the owners should either attend the Council Public Hearing on September 24th on this issue or should attend the Committee Meeting.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd informed viewers that an "800" number has been provided for call-in if you were not contacted during the recent census. Please call 1-800-999-1990 to make the Census Bureau aware that you were not counted as a Lansing resident.

Mr. Boyd also extended congratulations and welcome to new Councilmember Mark Canady.

REMARKS BY COUNCILMEMBERS

Councilmember Ford stated that he felt someone should look into the intersection of Walnut and St. Joseph as there have been a lot of accidents at this intersection.

Councilmember Schmidt mentioned that the annual Friends for Life Benefit will be held on Friday, September 14, 1990 at the Lansing Arena and that tickets are still available.

Councilmember Adado asked Mr. Boyd if he had a report on the overtime situation and the grievance in the Finance Department. Mr. Boyd stated that he would check into this and report back.

Councilmember Lindemann stated that the Resurrection Ox Roast held this past week-end was very successful.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 7:55 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, September 17, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
September 17, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

By Councilmember Adado:

To accept the printed Council Proceedings for August 6, August 13, August 20 and August 27, 1990

Carried unanimously.

CONSIDERATION OF LATE ITEMS

By Councilmember Lindemann:

To accept the following under suspension of the rules:

1/ Letter from Recyclers of Ingham, Eaton and Clinton Counties regarding Funding

2/ Letter from Mayor McKane regarding Lansing Civic Arena Sale

3/ Resolution for Hispanic Substance Abuse Prevention Day

4/ Resolution making Appointments to the Community Corrections Committee

5/ Report on Michigan Municipal League Conference submitted by Councilmember Schmidt

6/ Information received from the Mayor's Office regarding Crossing Guards

7/ Letter from Mayor McKane regarding Finance Department Overtime

8/ Resolution granting Non-Profit Status to the Capital Area Humane Society

9/ Resolution setting a Public Hearing for October 8, 1990 for an Application from P. S. Partnership to Establish a Lansing Industrial Development District

PUBLIC HEARINGS

There were no Scheduled Public Hearings.

PUBLIC COMMENTS

There were no Public Comments.

SPECIAL CEREMONIES

There were no Special Ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Letter from Marshall A. Peters of 1216 N. Foster Avenue regarding Alleged Improper Handling of Abandoned Vehicle Sale

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

B. Letter from the Convention/Visitors Bureau of Greater Lansing requesting that the City co-sponsor the annual "Holiday Open House"

REFERRED TO THE COMMITTEE OF THE WHOLE

C. Letter from Joseph Debnar of 1816 Osband Avenue regarding Sidewalk Assessment

REFERRED TO THE CITY ATTORNEY

D. Summons and Complaint received; Plaintiff: Combined Health Appeal of Michigan, Inc. and Edward J. Gillespie, Executive Director

REFERRED TO THE CITY ATTORNEY

E. SLU-14-90—1419-21 W. Holmes Road; to Build a Sanctuary and Educational Facility

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Z-21-90—912 East Kalamazoo Street to be rezoned from "C" Residential District to "F" Commercial District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

G. Letter from Dorothy Stark of 2301 Wellesley Drive regarding lack of Parking on September 2, 1990, due to the Gus Macker Tournament

REFERRED TO THE MAYOR

H. Letter from the Greater Lansing Board of Realtors regarding Riverfest

RECEIVED AND PLACED ON FILE

I. Letter from LaVon Martemucci of 3410 Nonette regarding the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

J. Letter from John Dougherty, President of the South Central Neighborhood Association, requesting Notification when Barricades are Placed within their Neighborhood

REFERRED TO THE MAYOR

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K. Letter from Jason W. Barnes, President of Troy Design, Inc., regarding use of the Diamond Reo property for a Recycling Depot

REFERRED TO THE MAYOR & COUNCIL STAFF TO SEND A LETTER TO MR. BARNES

L. Petition from Residents of South Clemens requesting extra Police Patrols and a Stop Sign at the Intersection of South Clemens and Elizabeth

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

M. Letter from Morris H. Stein of the PS Partnership requesting the Establishment of an Industrial Facilities Exemption District

REFERRED TO THE MAYOR AND THE ECONOMIC DEVELOPMENT COMMITTEE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd reviewed letters D3 and D6 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:
Resolution #494
September 17, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Edwin Lee Kingston, Patrick A. McCoy
SECOND HAND DEALER: Robert Leroy Clark

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously.

B. Information-Only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 10, 1990, for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney's Office regarding the Claim of William Bernstein

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Letters from the Mayor re:

1. Fast Trak Shuttle Lot Usage Update

RECEIVED AND PLACED ON FILE

2. ACT-24-90, Elvin Court and Horton Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Request for City Contribution to World Summit for Children

REFERRED TO THE COMMITTEE OF THE WHOLE

4. Carry Forwards

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Barricade Reports

RECEIVED AND PLACED ON FILE

6. Resignation of Ronald M. Gillum from the Park Board

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the proposed ordinance amending Chapter 1046 of the Code regarding Industrial Waste and Pretreatment,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be passed.

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

THE COMMITTEE ON PUBLIC SERVICES

TO WHOM WAS REFERRED THE MAYORS RECOMMENDATION REGARDING THE EXPENDITURE OF BALLFIELD IMPROVEMENTS FUNDS COLLECTED FOR THIS PURPOSE THROUGH A SPECIFIC $5.00 PER PLAYER FEE;

REPORTS AS FOLLOWS;

The Comnittee concurs with the Mayors recommendation to expend the Ballfield Improvement Funds as follows;

1) Drinking Fountain at Elm Park	$5,925
2) Seed Outfields At Elm & Westside North	4,400
3) Irrigate Three Fields At Gier	28,500
4) Irrigate Elm and Westside North	19,000
Total Costs	**$57,825**

Upon the recommendation of Parks staff, the Committee has agreed to hold one item installation of a drinking fountain at Risdale for one year pending further review. All projects recommended by the Committee have also been approved by the Parks Board, and are consistent with established Council policy. The Committee recommends Council approval of the projects delineated.

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

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ABSENT: None

RESOLUTIONS

Resolution #495
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED, that Suzanne Sawyer-Burleson is hereby appointed to a vacant position on the Historic District Commission for a term to expire June 30, 1993.

By Councilmember Schmidt:

Carried unanimously

Resolution #496
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED, that John Ethan Page is hereby appointed to a vacant position on the Waterfront Development Board for a term to expire June 30, 1994.

By Councilmember Adado:

Carried unanimously

Resolution #497
5eptember 14, 1990

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 8, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School District Administration Building, for the purpose of opposing and/or approving the proposed Special Land Use permit SLU-8-90 by Johnny Davis for property located at 1015-1017 North Cedar Street.

By Councilmember Ford:

YEAS: Councilmembers Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

Resolution #498
COMMITTEE ON PHYSICAL DEVELOPMENT
September 14, 1990

SLU-7-90
1507 Jerome Street

WHEREAS the Clinton-Eaton-Ingham Community Mental Health Board, Inc. has applied for a Special Land Use permit to increase the size of the existing facility from six (6) beds to seven (7) beds. The facility is located on property at 1507 Jerome Street, more particularly described as:

The East 54 feet of Lot 2, Block 3, Ganslys Addition, City of Lansing, Ingham County, Michigan

and,

WHEREAS the Planning Board has reviewed this request and recommended approval subject to conditions, and

WHEREAS the Physical Development Committee of the Lansing City Council has reviewed the report of the Planning Board and concurs therein,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approves the issuing of a Special Land Use permit at 1507 Jerome Street to expand the existing adult foster care facility operated by the Clinton-Eaton-Ingham Community Mental Health Board, Inc. from six (6) beds to seven (7) beds, subject to the following conditions:

1. That the detached garage in the rear yard be rehabilitated or demolished.

2. That the dumpster located at the rear of the lot be eliminated, or, if it is going to be in continuous use, that it be screened with opaque fencing.

3. That if the use of the joint drive off Jerome Street becomes a problem with the neighbor to the east, the applicant should be required to discontinue the use of the joint drive and utilize the alley access.

4. That all the requirements of the Building Safety Division and Fire Marshal's office be complied with.

In making this determination, the Lansing City Council considered the following:

1. The Special Land Use will require continued use of the property in a manner that is harmonious with the character of the adjacent property and the surrounding area.

2. The approval of this Special Land Use will require continued use of the property for residential purposes and will therefore not change the essential character of the surrounding area.

3. The Special Land Use for residential purposes will not interfere with the general enjoyment of the adjacent property.

4. The Special Land Use will limit the use of this property for residential purposes and will not be hazardous to the adjacent property, nor does it involve uses, activities, materials or equipment which are detrimental to the health, safety, and welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

5. It was found that the site is adequately served by the essential public facilities and services and that the continued use of the site will be adequately served.

6. The use of this property does not place demands on public services and facilities in excess of current capacity.

7. The proposed Special Land Use is consistent with the intent and purpose of the Zoning Code and the objectives of the current Master Plan.

8. The proposed use of this property meets the dimensional requirements of the district in which it is located.

NOW THEREFORE BE IT FINALLY RESOLVED that the Lansing City Council be directed to notify the applicant of this action.

By Councilmember Canady:

Carried unanimously

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Resolution #499
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, Auto-Air Composites, Inc., has requested that the City Council of Lansing establish a Lansing Industrial Development District (IPR-6-90) pursuant to Act 198, 1974, on property located at 5640 and 5720 Enterprise Drive, Lansing, Michigan, more fully described on Attachment A, and

WHEREAS, due notice has been given for a public hearing on the proposed establishment of said District; and

WHEREAS, at such hearing held on the 10th day of September, 1990, all parties interested therein were heard and given due consideration; and

WHEREAS, this Council finds that this property is properly zoned and otherwise meets the requirements of P.A. 198 of 1974 and this Council's policies; and construction, acquisitions, alterations or installation of a facility has not commenced at the time of filing the request to establish this district; and

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing hereby establishes a Lansing Industrial Development District IPR-6-90 on the above described property.

By Councilmember Adado:

Carried unanimously

"ATTACHMENT A"

LEGAL DESCRIPTION

Land located in the City of Lansing, Ingham County, Michigan, described as follows:

Lot 13 Midway Industrial Center and that part of Lot 14, Midway Industrial Center, lying Northerly of the center of Mud Lake Drain, more fully described as: Beginning at the intersection of the North line of Lot 14 and the West line of Enterprise Drive, being the most Northerly corner of said Lot 14; thence S 24°03'40"E, 248.30 feet on the West line of Enterprise Drive to a point 25 feet Northerly of the centerline of Mud Lake Drain; thence S 66°56'00" W, 482.36 feet on a line 25 feet North of and parallel to Mud Lake Drain to a point on the West line of Lot 14; thence N 24°03'40" W, 187.50 feet to the Northwest corner of Lot 14; thence N 65°56'20" E, 524 feet on the North line of Lot 14 to the point of beginning. (This parcel is intended to include all of Lot 14 lying North of Mud Lake Drain including the 25 feet between the described line and Mud Lake Drain). Midway Industrial Center, City of Lansing. Ingham County, Michigan.

Resolution #500
BY COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS: A regional approach to solid waste management may be desirable because of potential financial advantages of programs which process, dispose of and market materials originating from more than one county and municipality; and

WHEREAS: Long-term efforts toward a regional waste management program should be a coordinated partnership which encourages the most appropriate and economical approach; and

WHEREAS: The Tri-County Regional Planning Commission has proposed a study for analysis of regional organizational structures to implement and fund certain Regional Solid Waste Programs; and

WHEREAS: The Mayor concurs with the proposed analysis of Regional Organizational structures for solid waste programs.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council authorizes the expenditure of $2,000 from the General Administration Professional Services Account for participation in the cost of the proposed study provided that Ingham, Eaton, and Clinton counties each appropriate $2,000 toward the cost of the study which is to be conducted by Tri-County Regional Planning with a completion date of September 30, 1990.

By Councilmember Lindemann:

Carried unanimously

Resolution #501
BY COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS; In June of 1988 Chapter 1061 of the City Code of Ordinances was revised for the purpose of instituting a fee for the collection of bulk items, and

WHEREAS; Resolution #327 of 1988 adopted pursuant to this ordinance provided that one thousand (1,000) bulk item stickers shall be retained by the administration for free distribution to the City's lowest income residents during each calendar year, and

WHEREAS; The Committee on Public Services has been advised by the Administration that as of June 30, 1990, nine hundred (900) bulk item stickers have been released in the current calendar year, and

WHEREAS; The Committee on Public Services has been further advised that the provision of free stickers to lowest income city residents continues to be a very cost efficient method through which illegal dumping and illegal storage of unneeded bulk items may be avoided,

WHEREAS; The Committee concurs with the recommendation of the Mayor to increase the number of free bulk item collection stickers available to lowest income residents to two thousand (2,000) per fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that resolution #327 of 1988 is amended to provide the distribution of up to two thousand (2,000) bulk item collection stickers free to lowest income city residents under the guidelines previously approved by the Lansing City Council, and

BE IT FURTHER RESOLVED, that this amendment is effective fiscal year 1990-1991 and thereafter.

By Councilmember Lindemann:

Carried unanimously

Resolution #502
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of

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the Planning and Municipal Development Department determined that the building located at 1106 W. Ionia, legally described as;

W. 30 feet of E. 68 feet 8. 4 rods, Lot 1, Block 1, French's Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 26, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 6, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution September 17, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearinq Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building: and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and.

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously

Resolution #503
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 4301 Christianson, legally described as:

Lot 276, Pleasant Grove Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 6, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution September 17, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall he notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously

Resolution #504
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 920 North Chestnut, legally described as:

N. 33 feet, Lot 10, Block 47, Org. Plat

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 26, 1990, at which the Hearing Officers determined that said building

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was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan: and

WHEREAS, the City Council scheduled a hearing on September 6, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution September 17, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the oollection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously

Resolution #505
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Elliot B. Glicksman was appointed by the Mayor to serve on the Elected Officers Compensation Commission; and

WHEREAS, Mr. Glicksman was interviewed by the Committee of the Whole and action was taken to concur in the recommendation of the Mayor; and

NOW, THEREFORE, BE IT RESOLVED, the appointment of Mr. Elliot Glicksman to the Elected Officers Compensation Commission is hereby confirmed as recommended by the Mayor. Term Expires October, 1997.

By Councilmember Ford:

Carried unanimously

Resolution #506

Council President Belen and Council Members
09/17/90

Terry J. McKane, Mayor

Update on Sale of Lansing Civic Arena

As you know, the City has received several offers to purchase the Lansing Civic Arena. My staff has met with the prospective developers to review the details of their proposals. However, given the various representations made by outside parties, I believe that it is imperative that all proposals be weighed carefully to ensure that the taxpayers of Lansing get the best deal possible. To facilitate this due diligence review, I am going to take an additional 2-3 weeks to formulate my final recommendation.

Thank you for this cooperation on this matter.

By Councilmember Ford:

To accept the recommendation of the Mayor.

Carried unanimously

Resolution #507
BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, many members of the local Hispanic community face negative socioeconomic factors such as high rates of unemployment and illiteracy, as well as poor health care, lower life expectancy and a reduced sense of well-being; and

WHEREAS, research has indicated a high correlation between these factors and the incidence of substance abuse; and

WHEREAS, substance abuse and unemployment have been identified as the most serious problems facing Michigan's Hispanic community; and

WHEREAS, in an attempt to find effective preventive programs specifically designed for Hispanics, several distinguished research groups are co-sponsoring a Regional Hispanic Conference on Substance Abuse Prevention and Treatment beginning September 21, 1990;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby declares Friday, September 21, 1990, as "HISPANIC SUBSTANCE ABUSE PREVENTION DAY IN LANSING" and wholeheartedly supports the goals of the Regional Hispanic Conference on Substance Abuse Prevention and Treatment.

By Councilmember Benavides:

Carried unanimously

Resolution #508
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners authorized participation of Ingham County in a joint City/County Community Corrections Committee with the City of Lansing through Resolution 90-51; and

WHEREAS, in accordance with the requirements of PA 511 of

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1988, the Ingham County Board of Commissioners published a notice of the proposed appointments to the Community Corrections Committee requesting interested parties to submit their names for appointment; and

WHEREAS, the Public Safety Committee has reviewed the recommended list of appointees to the Community Corrections Committee;

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby confirms the appointees as recommended by the Ingham County Board of Commissioners.

By Councilmember Crawford:

To amend this resolution by adding:

WHEREAS, the Public Safety Committee, after consultation between City Council and County Commission officials, has added the name of Sharon Kellogg as the Communications Media member;

and the addition of the following to the end of the NOW THEREFORE BE IT RESOLVED Paragraph:

with the addition of Sharon Kellogg as the Communications Media representative.

Carried unanimously

By Councilmember Crawford:

To adopt the amended resolution

Carried unanimously

Resolution #509
By Councilmember Benavides:

WHEREAS, the Capital Area Humane Society has requested a resolution of recognition as a non-profit organization serving our community; and

WHEREAS, the City Attorney has confirmed that the organization is eligible for such recognition;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Capital Area Humane Society as a non-profit organization serving the Lansing community.

By Councilmember Benavides:

Carried unanimously

Resolution #510
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the City Council has received an application from The P.S. Partnership to establish a Lansing Industrial Development District on property known as Contec Center, on Jolly Road, Lansing, Michigan, more fully described on Attachment A; and

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Development District (IPR-7-90), to allow for any resident or taxpayer to have a right to appear and be heard; and

NOW, THEREFORE, BE IT RESOLVED that such hearing be held in the Board of Education Meeting Room at the Lansing School District Administration Building, 519 W. Kalamazoo, Lansing, Michigan on the 8th day of October, 1990, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City, and that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and that the City Council notify the owners of real property within the proposed Industrial Development District of this application and the scheduled public hearing.

By Councilmember Adado:

Carried unanimously

ATTACHMENT "A"

LEGAL DESCRIPTION

THAT PART OF THE EAST ½ OF THE WEST ½ OF THE SE ¼ OF SECTION 34, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN. BEGINNING ON THE SOUTH LINE OF SAID SECTION AT A POINT EAST 1065.09 FEET FROM THE SOUTH ¼ CORNER THEREOF, SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE PENN CENTRAL RAILROAD RIGHT OF WAY 100 FEET WIDE RUNNING THENCE ON SAID RIGHT OF WAY LINE N24 DEGREES 19'15" W 973.23 FEET TO THE WEST LINE OF SAID EAST ½ OF THE WEST ½, THENCE ON SAID WEST LINE N 0 DEGREES 16'03" E 1197.9 FEET TO A POINT 520.0 FEET SOUTH OF THE EAST-WEST ¼ LINE OF SAID SECTION 34, THENCE ON A LINE 520.0 FEET SOUTH OF THE PARALLEL WITH SAID ¼ LINE N 89 DEGREES 59'08" E 660.18 FEET TO THE EAST LINE OF SAID WEST ½ OF THE SE ¼, THENCE ON SAID EAST LINE S 0 DEGREES 02'15" W 1735.0 FEET TO THE NORTHWEST CORNER OF BOETTCHER'S SUBDIVISION AS RECORDED IN LIBER 14 OF PLATS ON PAGE 47, INGHAM COUNTY RECORDS, THENCE ON THE WEST LINE OF SAID SUBDIVISION S 1 DEGREE 25' W 350.01 FEET TO THE SOUTH LINE OF SAID SECTION 34, THENCE WEST 255.17 FEET TO THE POINT OF BEGINNING, SUBJECT TO THE RIGHT OF WAY OF JOLLY ROAD AND ANY OTHER RIGHTS OF WAY OR EASEMENTS OF RECORD, SAID DESCRIBED PARCEL CONTAINING 27.64 ACRES OF LAND MORE OR LESS.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction.

ORDINANCES FOR PASSAGE

Councilmember Benavides moved to proceed with the passage or Ordinances.

Carried unanimously.

Councilmember Lindemann moved that the reading of the Ordinances be considered as being read in their entirety.

Carried unanimously.

By Councilmember Lindemann:

Resolved by the City Council of the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending part 10, Chapter 1046, Section 1046.02, 1046.03, 1046.07, 1046.08, 1046.11, 1046.12,

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1046.13, and Section 1046.99 for the purpose of amending the Industrial Pretreatment Program be placed on order of immediate passage.

Carried unanimously.

By Councilmember Lindemann:

Resolved by the City Council of the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending part 10, Chapter 1046, Section 1046.02, 1046.03, 1046.07, 1046.08, 1046.11, 1046.12, 1046.13, and Section 1046.99 for the purpose of amending the Industrial Pretreatment Program be now passed.

YEAS: Councilmembers Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ORDINANCE NO. 822

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 10, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1046, SECTION 1046.02, 1046.03, 1046.07, 1046.08, 1046.11, 1046.12, 1046.13, AND SECTION 1046.99, FOR THE PURPOSE OF CLARIFYING THE TERMS "NEW SOURCE", "BY PASS" AND "SEVERE PROPERTY DAMAGE"; AUTHORIZING THE CITY TO TAKE ENFORCEMENT ACTION AGAINST INDIVIDUALS AND/OR COMPANIES WHICH BYPASS THE APPLICABLE PRETREATMENT STANDARDS AND REQUIREMENTS; REQUIRING NEW SOURCES TO INCLUDE INFORMATION ON ANY PRETREATMENT METHODS THEY INTEND TO USE AND ESTIMATES OF DISCHARGE FLOW AND POLLUTANT CONCENTRATIONS; REQUIRING EXISTING SOURCES TO ACHIEVE COMPLIANCE WITH NEW STANDARDS WITHIN THREE (3) YEARS OF THE DATE THE STANDARD IS PROMULGATED, UNLESS A SHORTER TIME PERIOD IS REQUIRED; REQUIRING VIOLATIONS OF APPLICABLE STANDARDS TO BE REPORTED TO THE CITY WITHIN TWENTYFOUR (24) HOURS OF BECOMING AWARE OF THE VIOLATIONS; AND AUTHORIZING THE CITY TO SEEK AND/OR ASSESS CIVIL OR CRIMINAL PENALTIES IN AT LEAST THE AMOUNT OF $500.00 A DAY FOR EACH VIOLATION OF APPLICABLE PRETREATMENT STANDARD AND REQUIREMENT.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1046, Section 1046.02, 1046.03, 1046.07, 1046.08, 1046.11, 1046.12, 1046.13 and Section 1046.99 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1046.02 DEFINITIONS.

As used in this chapter, unless the context specifically indicates otherwise:

(1) "The Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

(2) "Alternative discharge limit" means a limit set by the City in lieu of the promulgated national categorical pretreatment standards for integrated facilities in accordance with the combined waste stream formula, as set by the U.S. Environmental Protection Agency (EPA).

(3) "Approval authority" means the administrator of the EPA until such time as the State pretreatment program is approved and then the Director of the State Department of Natural Resources.

(4) "Authorized representative of industrial user" means:

A. A principal executive officer of at least the level of vice president, if the industrial user is a corporation;

B. A general partner or proprietor, if the individual user is a partnership or proprietorship, respectively; or

C. A duly authorized representative of an individual designated in paragraphs (4)A. and B. hereof, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates OR FOR ENVIRONMENTAL MATTERS OF THE COMPANY. AUTHORIZATION FOR THIS REPRESENTATIVE MUST BE SUBMITTED TO THE CITY IN WRITING BY THE INDIVIDUAL DESIGNATED IN PARAGRAPH (4)A. AND B. HEREOF.

(5) "Biochemical oxygen demand" or "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade expressed in terms of weights and concentration (milligrams per liter).

(6) "Building sewer" means a sewer conveying wastewater from the premises of a user to the POTW.

(7) "Categorical standards" means national categorical pretreatment standards.

(8) "Chemical oxygen demand" or "COD" means a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. "Chemical oxygen demand" is also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.

(9) "Combined waste stream" means the waste stream at industrial facilities where regulated process effluent is mixed with other wastewater, either regulated or unregulated, prior to or at the point of treatment.

(10) "Compatible pollutant" means a substance amenable to treatment in the wastewater treatment plant, such as biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned pretreatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

(11) "Composite sample" means a series of samples taken over a specific time period whose volume is proportional to the flow or time in the waste stream, which samples are combined into one sample.

(12) "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

(13) "Direct discharge" means the discharge of treated or untreated wastewater directly to the waters of the State.

(14) "Director" means the Director of Public Service.

(15) "Environmental Protection Agency" means the U.S. Environmental Protection Agency, its administrator or another duly authorized official thereof.

(16) "Grab sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

(17) "Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump trucks.

(18) "Incompatible pollutant" means any pollutant which is not a

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compatible pollutant.
(19) "Indirect discharge" means the discharge or the introduction of nondomestic pollutants into the POTW, including holding tank waste discharged into the system.
(20) "Industrial user" means any user which discharges industrial waste.
(21) "Industrial waste" means the wastewater discharge from industrial, manufacturing, trade or business processes, or wastewater discharge from any structure with such characteristics, as distinct from an employee's domestic waste or waste from sanitary conveniences.
(22) "Integrated facilities" means industrial facilities with a combined waste stream.
(23) "Interference" means the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the City's NPDES permit or reduces the efficiency of the POTW. "Interference" includes the prevention of sewage sludge use or disposal by the POTW.
(24) "Laboratory determination" means the measurements, tests and analyses of the characteristics of water and waste in accordance with the methods contained in the latest edition (at the time) of any such measurements, tests or analyses of the characteristics of waters and wastes in accordance with the methods contained in 40 C.F.R. 136, as amended, or in accordance with any other method prescribed by the rules and regulations promulgated pursuant to this chapter.
(25) "National Categorical Pretreatment Standard" means any Federal regulation containing pollution discharge limits promulgated by the EPA, which regulation applies to a specific category of industrial users.
(26) "National Pollutant Discharge Elimination System permit" or "NPDES permit" means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342) as amended.
(27) "National prohibitive discharge standard or "prohibitive discharge standard" means any regulation developed under the authority of Section 307(b) of the Act and 40 C.F.R. 403.5, as amended.
(28) "New source" means any source, the construction of which is commenced after the PUBLICATION OF PROPOSED PRETREATMENT STANDARDS WHICH WILL BE APPLICABLE TO SUCH SOURCE, PROVIDED THAT:
A. CONSTRUCTION IS AT A SITE WHERE NO OTHER POINT-SOURCE IS LOCATED;
B. PROCESS OR PRODUCTION EQUIPMENT CAUSING DISCHARGE IS TOTALLY REPLACED DUE TO CONSTRUCTION; OR
C. PRODUCTION OR WASTEWATER GENERATING PROCESSES OF THE FACILITY ARE SUBSTANTIALLY INDEPENDENT OF AN EXISTING SOURCE AT THE SAME SITE.
CONSTRUCTION IS CONSIDERED TO HAVE COMMENCED WHEN INSTALLATION OR ASSEMBLY OF FACILITIES/EQUIPMENT HAS BEGUN, SIGNIFICANT SITE PREPARATION HAS BEGUN FOR INSTALLATION OR ASSEMBLY, OR THE OWNER-/OPERATOR HAS ENTERED INTO A BINDING CONTRACTUAL OBLIGATION.
(29) "pH" means the logarithm base 10 of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution.
(30) "Pollutant" means any various chemicals, substances or refuse materials, such as solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat and industrial, municipal and agricultural wastes, which impair the purity of water and soil.
(31) "Pollution" means the man made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
(32) "Pretreatment" or "treatment" means the reduction of the amount of pollutants, the elimination of pollutants, the alteration of the nature of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 C.F.R. 403.6(d), as amended.
(33) "Pretreatment requirement" means any substantive or procedural requirement for treating a waste prior to inclusion in the POTW.
(34) "Pretreatment standards" means national categorical pretreatment standards or alternative discharge limits, whichever is applicable.
(35) "POTW treatment plant" means that portion of the publicly owned treatment works designed to provide treatment to wastewater.
(36) "Publicly owned treatment works" or "POTW" means a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned by the City. "Publicly owned treatment works" includes any sewer that conveys wastewater to the POTW treatment plant and any sewer that conveys wastewater to the POTW from persons outside the City who are, by contract or agreement with the City, users of the City's POTW.
(37) "Significant industrial user" means any industrial user of the City's wastewater disposal system who:
A. Has a discharge flow of 25,000 gallons or more per average work day; B. Has a flow greater than five percent of the flow in the City's wastewater treatment system;
C. Has in his or her waste toxic pollutants as defined pursuant to Section 307 of the Act, as amended, or State statutes and rules; or
D. Is found by the City, the State Department of Natural Resources or the EPA to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.
(38) "Significant violation" means a violation which remains uncorrected forty-five days after notification thereof, which is part of a pattern of noncompliance over a twelve-month period and which involves a failure to accurately report noncompliance or which results in the exercise of the POTW's emergency authority under 40 C.F.R. 403.8(f)(2)(vi)(B), as amended.
(39) "Slug load" means any substance released in a discharge at a ratio and/or concentration which causes interference to a POTW.
(40) "Standard industrial classification" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President Office of Management and Budget, 1972.
(41) "Storm water means any flow occurring during or following any form of natural precipitation and resulting therefrom.
(42) "Superintendent" means the person designated by the City to supervise the operation of the publicly owned treatment works, who is charged with certain duties and responsibilities by this chapter, or his or her duly authorized representative.
(43) "Surcharge" means that part of the service charge that any customer discharging wastewater having strength in excess of

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limits set forth by the City may be required to pay as an additional charge to cover the cost of treatment of such excess strength wastewater.

(44) "Suspended solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, which matter is removable by laboratory filtering.

(45) "Toxic pollutant" means any pollutant or combination of pollutants which is or can potentially be harmful to the public health or the environment, including those pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of CWA 307(a), as amended, or other acts.

(46) "User" means any person who contributes, or causes or permits the contribution of, wastewater into the POTW.

(47) "Wastewater" means liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

(48) "Waters of the State" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the State or any portion thereof.

(49) "BYPASS" MEANS THE INTENTIONAL DIVERSION OF WASTE STREAMS FROM ANY PORTION OF A USER'S TREATMENT FACILITY.

(50) "SEVERE PROPERTY DAMAGE" MEANS SUBSTANTIAL PHYSICAL DAMAGE TO PROPERTY, DAMAGE TO THE TREATMENT FACILITIES WHICH CAUSES THEM TO BECOME INOPERABLE, OR SUBSTANTIAL AND PERMANENT LOSS OF NATURAL RESOURCES WHICH CAN REASONABLY BE EXPECTED TO OCCUR IN THE ABSENCE OF A BYPASS. SEVERE PROPERTY DAMAGE DOES NOT MEAN ECONOMIC LOSS CAUSED BY DELAYS IN PRODUCTION.

1046.07 EXCESSIVE DISCHARGES.

EXCEPT WHERE EXPRESSLY AUTHORIZED TO DO SO BY AN APPLICABLE PRETREATMENT STANDARD OR REQUIREMENT, no user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the national categorical pretreatment standards, alternative discharge limits, or any other pollutant-specific limitation developed by the City or the State.

1046.08 ACCIDENTAL DISCHARGES.

(a) Where required, a user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner's or user's cost and expense. At the request of the City, detailed plans showing facilities and operating procedures to provide such protection shall be submitted to the City for review. All required users shall complete such a plan within ninety days after notification by the City. If required by the City, a user who commences contribution to the POTW after the effective date of this chapter (Ordinance 698, passed April 8, 1985), shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. In the case of an accidental discharge, the user shall immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume and correction actions.

(b) Within five days following such accidental discharge, the user shall submit to the Director of Public Service a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property. Such notification shall not relieve the user of any fine, civil penalty or other liability which may be imposed by this chapter or other applicable laws.

(c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of the user who to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(d) BYPASS VIOLATING APPLICABLE PRETREATMENT STANDARDS AND REQUIREMENTS IS PROHIBITED, AND THE CITY MAY TAKE ENFORCEMENT ACTION AGAINST A USER FOR SUCH BYPASS, UNLESS:THE BYPASS WAS UNAVOIDABLE TO PREVENT LOSS OF LIFE, PERSONAL INJURY, OR SEVERE PROPERTY DAMAGE; THERE WERE NO FEASIBLE ALTERNATIVES TO THE BYPASS SUCH AS THE USE OF AUXILIARY TREATMENT FACILITIES, RETENTION OF UNTREATED WASTES, OR MAINTENANCE DURING NORMAL PERIODS OF EQUIPMENT DOWNTIME (EXCEPT WHERE ADEQUATE BACK-UP EQUIPMENT SHOULD HAVE BEEN INSTALLED IN THE EXERCISE OF REASONABLE ENGINEERING JUDGMENT TO OPERATE DURING NORMAL PERIODS OF EQUIPMENT DOWNTIME OR PREVENTIVE MAINTENANCE); AND THE USER SUBMITTED REQUIRED NOTICES. FOR ACCIDENTAL BYPASS, NOTICE REQUIREMENTS ARE SPECIFIED IN PARAGRAPHS (A), (B), AND (C) HEREIN. IF THE USER KNOWS IN ADVANCE OF THE NEED FOR BYPASS, A PRIOR NOTICE SHALL BE SUBMITTED TO THE CITY AT LEAST TEN (10) DAYS BEFORE THE DATE OF THE BYPASS. THE CITY MAY APPROVE OR DISAPPROVE THIS ANTICIPATED BYPASS, AFTER CONSIDERING ITS ADVERSE EFFECTS.

1046.11 USER INFORMATION.

All industrial users proposing to connect to or to contribute to the POTW shall submit information on the user, processes and wastewater to the City AT LEAST NINETY (90) DAYS before connecting to or contributing to the POTW. All existing industrial users connected to or contributing to the POTW shall submit such information within ninety days after the effective date of this chapter (Ordinance 698, passed April 8, 1985). The information submitted must be sufficient for the City to determine the impact of the user's discharge on the POTW and the need for pretreatment. The user shall submit, in units and terms appropriate for evaluation, the following information:

(a) The user's name, address and location, if different from the address;

(b) The user's SIC number, according to the Standard Industrial

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Classifacation Manual, Bureau of the Budget, 1972, as amended;
(c) Constituents and characteristics of the user's wastewater, including, but not limited to, those mentioned in this chapter as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with the procedures and methods detailed in the following publications:

(1) Standard Methods for the Examination of Water and Wastewater, American Public Health Association;
(2) Manual of Methods for Chemical Analysis of Water and Wastes, United States Environmental Protection Agency; and
(3) Annual Book of Standards, Part 131, Water Atmospheric Analysis, 1975, American Society of Testing Materials.

(d) Time and duration of contribution;
(e) Average daily wastewater flow rates, including daily, monthly and seasonal variations, if any;
(f) When requested by the City, site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by size, location and elevation;
(g) Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged;
(h) Where known, the nature and concentration of any pollutant in the discharge which is limited by City, State or Federal pretreatment standards, and a statement regarding whether or not such pretreatment standards are being met on a consistent basis. If not, the user shall provide information as to whether additional operation and maintenance and/or additional pretreatment is required by the industrial user to meet applicable pretreatment standards. NEW SOURCES SHALL INCLUDE INFORMATION ON ANY PRETREATMENT METHODS THEY INTEND TO USE AND PROVIDE ESTIMATES ON DISCHARGE FLOW AND POLLUTANT CONCENTRATIONS.
(i) If additional pretreatment and/or O & M is required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in such schedule shall be not later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to the schedule:
(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards.
(2) No increment referred to in paragraph (a)(1) hereof shall exceed nine months.
(3) Not later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Director of Public Service including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with such increment of progress, the reason for delay, and the steps being taken by the user to return construction to the schedule established. In no event shall more than nine months elapse between each such progress report. (j) Each product produced, by type, amount, process or processes and rate of production;
(k) The type and amount of raw materials processed (average and maximum per day);
(l) The number and type of employees, hours of operation of the plant and proposed or actual hours of operation of the pretreatment system; and
(m) Any other information as may be deemed by the City to be necessary to evaluate the impact of the discharge on the POTW Within THREE (3) months of the promulgation or revision of a national categorical pretreatment standard or alternative discharge limit, all affected users must submit to the City the information required by subsections (h) and (i) hereof.

1046.12 AUTHORITY OF CITY RE DISCHARGES.

Wastewater discharges shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the City. The City may:
(a) Set unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;
(b) Limit average and maximum wastewater constituents and characteristics;
(c) Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization;
(d) Require the installation and maintenance of inspection and sampling facilities;
(e) Establish specifications for monitoring programs which may include sampling locations; frequency of sampling; number, types and standards for tests; and reporting schedules;
(f) Establish compliance schedules;
(g) Require submission of technical reports or discharge reports;
(h) Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the City. The City may also require access to, and the right to copy, such records.
(i) Require notification of the City for any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents being introduced into the wastewater treatment system;
(j) Require notification of slug discharges; and
(k) Require other conditions as deemed appropriate by the City to ensure compliance with this chapter.
(l) CONTROL THROUGH PERMIT, ORDER, OR SIMILAR MEANS, TH CONTRIBUTION TO THE POTW BY EACH USER TO ENSURE COMPLIANC WITH APPLICABLE CATEGORICAL STANDARDS OR POLLUTANT-SPECIFI LIMITATIONS DEVELOPED BY THE CITY OR STATE.
(m) ADJUST CATEGORICAL PRETREATMENT STANDARDS TO REFLECT THE PRESENCE OF POLLUTANTS IN THE USER'S INTAKE WATER IN ACCORDANCE WITH 40 CFR 103.15.

1046.13 COMPLIANCE REPORTS.

(a) Within ninety days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the Director of Public Service a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for such process units in the user facility which are limited by such standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional 0 & M and/or pretreatment is necessary to bring the user into compliance with such standards or requirements. The statement shall be signed by an authorized representative of the user and certified to by a qualified representative.

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(b) Any user or new source discharging into the POTW shall submit to the Director during the months of June and December, unless required more frequently in pretreatment standards or by the Director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards or this chapter. In addition, such report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported under Section 1046.12(c). At the discretion of the Director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Director may agree to require different months during which such reports are to be submitted.
The Director may also impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases in which the imposition of mass limitations is appropriate. In such cases, the report required by this subsection shall also indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.

(C) EXISTING SOURCES SUBJECT TO NEW CATEGORICAL STANDARDS SHALL ACHIEVE COMPLIANCE WITHIN THREE (3) YEARS OF THE DATE THE STANDARD IS PROMULGATED, UNLESS A SHORTER COMPLIANCE SCHEDULE IS SPECIFIED IN THE STANDARD. NEW SOURCES SUBJECT TO CATEGORICAL STANDARDS SHALL INSTALL, HAVE IN OPERATING CONDITION, AND HAVE STARTED-UP ALL PRETREATMENT EQUIPMENT REQUIRED TO ACHIEVE COMPLIANCE BEFORE BEGINNING TO DISCHARGE; AND SHALL MEET ALL APPLICABLE PRETREATMENT STANDARDS WITHIN THE SHORTEST FEASIBLE TIME, BUT NOT TO EXCEED NINETY DAYS.
(D) IF A USER SUBJECT TO THESE REPORTING REQUIREMENTS MONITORS ANY POLLUTANT MORE FREQUENTLY THAN REQUIRED BY CITY, USING APPROVED PROCEDURES, THE RESULTS OF THIS ADDITIONAL MONITORING SHALL ALSO BE INCLUDED IN THE REPORTS.
(E) IF SAMPLING PERFORMED BY A USER INDICATES A VIOLATION, THE USER SHALL NOTIFY THE CITY WITHIN TWENTY-FOUR (24) HOURS OF BECOMING AWARE OF THE VIOLATION. THE USER SHALL ALSO REPEAT THE SAMPLING AND SUBMIT THE RESULTS OF RE-ANALYSIS TO THE CITY WITHIN THIRTY (30) DAYS AFTER BECOMING AWARE OF THE VIOLATION, EXCEPT WHEN THE CITY WILL BE PERFORMING SCHEDULED SURVEILLANCE SAMPLING/ANALYSIS WITHIN THIS THIRTY (30) DAY PERIOD.
(F) THE REPORTS REQUIRED BY THIS SECTION SHALL BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE INDUSTRIAL USER AND INCLUDE THE FOLLOWING CERTIFICATION STATEMENT:
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.
IF THE AUTHORIZED REPRESENTATIVE CHANGES BECAUSE A DIFFERENT INDIVIDUAL OR POSITION HAS RESPONSIBILITY FOR THE OVERALL OPERATION OF THE FACILITY OR FOR ENVIRONMENTAL MATTERS OF THE COMPANY, A NEW AUTHORIZATION SATISFYING THE REQUIREMENTS OF SUBSECTION 1046.02(4)C., MUST BE SUBMITTED TO THE CITY PRIOR TO OR TOGETHER WITH ANY REPORTS TO BE SIGNED BY THE AUTHORIZED REPRESENTATIVE.

1046.99 PENALTY.
(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)
In addition to the penalty provided in Section 202.99, the City may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation, by appropriate suit at law, against any person found to have violated any of the provisions of this chapter or any order, rule, regulation or permit issued hereunder. THE CITY HAS LEGAL AUTHORITY TO SEEK OR ASSESS CIVIL OR CRIMINAL PENALTIES IN AT LEAST THE AMOUNT OF $500 A DAY FOR EACH VIOLATION OF APPLICABLE PRETREATMENT STANDARDS AND REQUIREMENTS.
Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.
Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council

By Councilmember Lindemann:

Resolved by the City Council of the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 292, Sections 292.01, 292.14, 292.20 and 292.22 and enac:ting a new Section 292.311, to provide for an Alternative Retirement Plan for certain covered positions, to allow employees occupying or transferring into covered positions a one time opportunity to elect to participate in the Alternative Retirement Plan be placed on order of immediate passage.

Carried unanimously.

By Councilmember Benavides:

To amend the Ordinance to change all dates shown as September 1 to read October 1 and that the window period where it talks about six months from October 1st be moved to April 1, 1991.

Carried unanimously.

By Councilmember Benavides:

Resolved by the City Council of the City of Lansing that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 292, Sections 292.01, 292.14, 292.20 and 292.22 and enacting a new Section 292.311, to provide for an Alternative Retirement Plan for certain covered positions, to allow employees occupying or transferring into covered positions a one time opportunity to elect to participate in the Alternative Retirement Plan, as amended, be now passed.

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Lindemann, Schmidt

NAYS: Councilmembers Adado, Ford

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By Councilmember Benavides:

That this Ordinance be given immediate effect.

Carried unanimously.

ORDINANCE NO. 823

AN ORDINANCE TO AMEND CHAPTER 292 OF THE CODE OF THE CITY OF LANSING BY AMENDING SECTIONS 292.01, 292.14, 292.20 AND 292.22, AND ENACTING A NEW SECTION 292.311, TO PROVIDE FOR AN ALTERNATIVE RETIREMENT PLAN FOR CERTAIN COVERED POSITIONS, TO DEFINE COVERED POSITIONS, TO ALLOW EMPLOYEES OCCUPYING OR TRANSFERRING INTO COVERED POSITIONS A ONE TIME OPPORTUNITY TO ELECT TO PARTICIPATE IN THE ALTERNATIVE RETIREMENT PLAN, TO REQUIRE THAT NEW EMPLOYEES ENTERING COVERED POSITIONS ON OR AFTER OCTOBER 1, 1990 BE EXCLUDED FROM MEMBERSHIP IN THE GENERAL EMPLOYEES RETIREMENT SYSTEM, TO PROVIDE FOR THE TRANSFER OF FUNDS TO THE ALTERNATIVE RETIREMENT PLAN ON BEHALF OF ANY TRANSFERRING EMPLOYEE, TO EXTINGUISH ALL RIGHTS TO BENEFITS FROM THE GENERAL EMPLOYEES RETIREMENT SYSTEM IN THE EVENT AN ELIGIBLE MEMBER ELECTS TO TRANSFER, AND TO ALLOW ANY MEMBER OCCUPYING A COVERED POSITION ON OR AFTER OCTOBER 1, 1990 WHO HAS NOT ELECTED TO PARTICIPATE IN THE ALTERNATIVE RETIREMENT PLAN AND WHO HAS EIGHT (8) OR MORE YEARS OF CREDITED SERVICE, TO RETIRE AT THE EARLIER OF FIFTY-EIGHT (58), OR WHEN THE MEMBER'S AGE, WHEN ADDED TO THE MEMBER'S YEARS OF SERVICE EQUALS OR EXCEEDS SIXTYFIVE (65) YEARS.

Section 1. Section 292.01 of the Code of Ordinances of the City of Lansing is amended to read as follows:

292.01 DEFINITIONS.

As used in this chapter, unless a different meaning is plainly required by the context:

(a) "Accumulated contributions" means the sum of all amounts deducted from the compensation of a member and credited to the member's individual account in the employees' savings fund, together with regular interest thereon.

(b) "Annuity" means an annual amount, derived from a member's accumulated contributions, payable in equal monthly installments throughout the future life of a person or for a temporary period as provided in this chapter.

(c) "Annuity reserve" means the present value of all payments to be made on account of any annuity, or benefit in lieu thereof. The annuity reserve shall be computed upon the basis of such mortality table and regular interest as the Board from time to time adopts.

(d) "Beneficiary" means any person, except a retirant, who is in receipt of, or who has entitlement to, a pension, retirement allowance or other benefit, payable by the retirement system.

(e) "Board of Trustees" or "Board" means the Board of Trustees of the general employees' retirement system, as provided for in this chapter.

(f) "Credited service" means the number of years, and fraction of a year, of service standing to a member's credit in the member's service account.

(g) "Compensation" means a member's salary, wages and longevity bonus paid by the City for personal services rendered by the member to the City, the District Court or the Housing Commission, whichever is applicable, as an employee. If a member's compensation is not all paid in money, Council shall fix the value of that part of the member's compensation not paid in money.

(h) "Employee" means:

(1) Any regular or permanent officer or employee of the City, and for the sole and exclusive purposes of this retirement system, any employee of the Housing Commission who has not executed a request to transfer to the Michigan Municipal Employees Retirement System and a release of the City and the Retirement System from future pension claims, or any former employee of the Housing Commission whose right to retirement allowance has been deferred by the Board of Trustees. Beginning January 1, 1971, any person who is employed on a regular or permanent basis by the District Court, except the judges of such Court, shall be considered an employee of the City for the sole and exclusive purposes of this retirement system. The term "employee" does not include any person who is compensated by the City or by the District Court wholly on a fee or contractual basis, nor the Medical Director appointed under Section 292.11, nor elective officials of the City, except as provided in paragraph (b)(2) hereof, nor judges of the District Court. The phrase "contractual basis," as set forth herein, shall not be applicable to those regular full-time employees of the City who are required to sign employment contracts under the January 15, 1985, personnel rules for executive management plan personnel or Council staff personnel as a condition of employment.

(2) Any elective official of the City, upon filing a written application with the Board of Trustees of the retirement system. In any cases of doubt, the Board shall decide who is an employee within the meaning of this chapter.

(i) "Final average compensation" means the average of the highest annual compensation paid a member during a period of two consecutive years of credited service contained within the member's ten years of credited service immediately preceding the date when the member's employment with the City, District Court or Housing Commission last terminated. If the member has less than two years of credited service, the member's final average compensation shall be the average of the member's annual compensation for the member's total years of credited service.

(j) "Final compensation" means a member's annual rate of compensation at the time of termination of the member's last employment by the City, District Court or Housing Commission.

(k) "Member" means any person who is included in the membership of the retirement system.

(l) "Pension" means an annual amount, derived from money provided by the City, payable in equal monthly installments throughout the future life of a person or for a temporary period as provided in this chapter.

(m) "Pension reserve" means the present value of all payments to be made on account of any pension, or benefit in lieu thereof. The pension reserve shall be computed upon the basis of such mortality and other tables of experience, and regular interest, as the Board from time to time adopts.

(n) "Regular interest" means such rate or rates of interest per annum, compounded annually, as the Board from time to time determines, subject to the approval of Council.

(o) "Retirant" means a member who retires from employment with a retirement allowance payable by the retirement system.

(p) "Retirement allowance" means the sum of the annuity and the pension.

(q) "Retirement system" or "system" means the retirement system established under this chapter.

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(r) "Service" means personal service rendered to the City, the District Court or the Housing Commission, whichever is applicable, by an employee.
(s) "Workers' compensation period" means the period a member, retirant or beneficiary is in receipt of workers' compensation on account of a disability or death arising out of and in the course of a member's employment. If the member, retirant or beneficiary is paid a single sum in lieu of future workers' compensation, then such individual's workers' compensation period shall be the period, if any, the individual was in receipt of weekly workers' compensation plus the period arrived at by dividing such single sum by the weekly workers' compensation award.
(t) "COVERED POSITIONS" MEANS EFFECTIVE OCTOBER 1, 1990, POSITIONS OF EXEMPT, ELECTED AND EXECUTIVE PAY PLAN EMPLOYEES, EXCLUDING EMPLOYEES OF THE DISTRICT COURT.
(u) "COVERED POSITION EFFECTIVE DATE" MEANS OCTOBER I, 1990 FOR COVERED POSITIONS DEFINED IN SUBSECTION (t) OF THIS SECTION.
Section 2. Section 292.14 of the Code of Ordinances of the City of Lansing is amended to read as follows:
292.14 MEMBERSHIP IN SYSTEM.
(a) The membership of the retirement system shall include all employees, as defined in Section 292.01(h), and all persons who become employees, except as provided in subsection (b) hereof.
(b) The membership of the retirement system shall not include:
(1) Employees who are employed by the Board of Water and Light;

(2) Employees who are members of the Policemen's and Firemen's Retirement System as set forth in Chapter 294;

(3) Employees hired on or after the effective date of this section (Ordinance 540, passed June 25, 1979) who are retirants receiving or entitled to receive a retirement allowance, a deferred retirement allowance or a disability retirement allowance from the Policemen's and Firemen's Retirement System;

(4) Employees of the Housing Commission who have executed a request to transfer to the Michigan Municipal Employees Retirement System and a release of the city and the Retirement System from future pension claims, nor shall it include any employees of the Housing Commission hired after April 16, 1988;

(5) Employees who are employed in positions normally requiring less than 2,000 hours of work per year; AND

(6) EMPLOYEES EXCLUDED FROM MEMBERSHIP AS PROVIDED IN SUBSECTION (c) OF THIS SECTION.
(c) AN EMPLOYEE HIRED INTO A COVERED POSITION ON OR AFTER THE COVERED POSITION EFFECTIVE DATE, WHO WAS NOT A MEMBER OF THE RETIREMENT SYSTEM ON THE DAY BEFORE THE EMPLOYEE'S DATE OF HIRE, SHALL NOT BECOME A MEMBER OF THE RETIREMENT SYSTEM. AN EMPLOYEE WHO IS EMPLOYED IN A COVERED POSITION ON THE COVERED POSITION EFFECTIVE DATE, AND WHO WAS A MEMBER OF THE RETIREMENT SYSTEM ON THE DAY BEFORE THE COVERED POSITIONS EFFECTIVE DATE, AND WHO ELECTS ON OR BEFORE APRIL 1, 1991 TO TERMINATE MEMBERSHIP, SHALL CEASE TO BE A MEMBER OF THE RETIREMENT SYSTEM EFFECTIVE ON THE FIRST DAY OF THE FIRST CALENDAR MONTH WHICH IS AT LEAST ONE HUNDRED TWENTY (120) DAYS AFTER THE COVERED POSITION EFFECTIVE DATE. AN EMPLOYEE WHO IS TRANSFERRED INTO A COVERED POSITION ON OR AFTER THE COVERED POSITION EFFECTIVE DATE, FROM A POSITION THAT WAS NOT A COVERED POSITION, AND WHO WAS A MEMBER OF THE RETIREMENT SYSTEM ON THE DAY BEFORE THE TRANSFER, AND WHO ELECTS WITHIN NINETY (90) DAYS OF THE TRANSFER TO TERMINATE MEMBERSHIP, SHALL CEASE TO BE A MEMBER OF THE RETIREMENT SYSTEM EFFECTIVE ON THE FIRST DAY OF THE FIRST CALENDAR MONTH WHICH IS AT LEAST ONE HUNDRED TWENTY (120) DAYS AFTER THE TRANSFER. THE ELECTION TO TERMINATE MEMBERSHIP SHALL BE ONE-TIME AND IRREVOCABLE. THE METHOD OF ELECTION SHALL BE DETERMINED BY THE BOARD OF TRUSTEES. AN EMPLOYEE WHO ELECTS TO TERMINATE MEMBERSHIP UNDER THIS SUBSECTION SHALL WAIVE ALL RIGHTS TO A PENSION, ANNUITY, RETIREMENT ALLOWANCE OR RETURN OF ACCUMULATED CONTRIBUTIONS, EXCEPT AS PROVIDED IN SECTION 292.311, EFFECTIVE ON THE DATE OF TERMINATION OF MEMBERSHIP.
(d) In any case of doubt as to the retirement system membership status of any employee, the Board of Trustees shall decide the question.
Section 3. Section 292.20 of the Code of Ordinances of the City of Lansing is amended to read as follows:
4292.20 RETIREMENT AGE AND SERVICE REQUIREMENTS.
(a) Except as provided in subsection (b) OR (c) hereof, any member who either has attained or attains the age of fifty-eight years and has eight or more years of credited service, or has attained or attains the age of fifty-five years and has twenty-five or more years of credited service, may retire upon his or her written application to the Board of Trustees setting forth at what time, neither less than thirty days nor more than ninety days, subsequent to the execution and filing thereof, such member desires to be retired. Upon retirement, the member shall receive a retirement allowance, as provided in Section 292.21.
(b) Effective June 30, 1987, a member who is associated with the Fraternal Order of Police Park Security Division and who either has attained or attains the age of fifty-eight years and has eight or more years of credited service, or has attained or attains the age of fifty years and has twenty-five or more years of credited service, may retire upon written application to the Board setting forth at what time, neither less than thirty days nor more than ninety days, subsequent to the execution and filing thereof, such member desires to be retired. Upon retirement, the member shall receive a retirement allowance, as provided in Section 292.21.
(c) A MEMBER EMPLOYED IN A COVERED POSITION ON OR AFTER THE COVERED POSITION EFFECTIVE DATE, WHO DOES NOT ELECT TO TERMINATE MEMBERSHIP AS PROVIDED IN SECTION 292.14(c) AND WHO HAS EIGHT (8) OR MORE YEARS OF CREDITED SERVICE, AND WHOSE YEARS AND FULL MONTHS OF ATTAINED AGE WHEN ADDED TO YEARS AND FULL MONTHS OF CREDITED SERVICE EQUALS OR EXCEEDS SIXTY-FIvE (65) YEARS, MAY RETIRE UPON HIS/HER WRITTEN APPLICATION TO THE BOARD SETTING FORTH AT WHAT TIME, NEITHER LESS THAN THIRTY (30) DAYS NOR MORE THAN NINETY (90) DAYS, SUBSEQUENT TO THE EXECUTION AND FILING THEREOF, THE MEMBER DESIRES TO BE RETIRED. UPON THE MEMBER'S RETIREMENT, THE MEMBER SHALL RECEIVE A RETIREMENT ALLOWANCE PROVIDED IN SECTION 292.21.

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(d) Any member, except an elected official of the City, who has attained or attains the age of seventy years shall be separated from employment with the City, the Housing Commission or the District Court the first day of the calendar month next succeeding the month in which such member attains the age of seventy years. If, at the time of separation from employment with the City, the Housing Commission or the District Court, the member has eight or more years of credited service, such member shall receive a retirement allowance, as provided in Section 292.21.

Section 4. Section 292.22 of the Code of Ordinances of the City of Lansing is amended to read as follows:

292.22 DEFERRED RETIREMENT ALLOWANCE.

(a) If any member who has eight or more years of credited service separates from the employ of the City the District Court or the Housing Commission, prior to the member's attainment of the age of fifty-eight years, except through retirement, or death, such member shall be entitled to a retirement allowance as provided in Section 292.21, as the section was in force at the time of the member's separation from employment with the City, the District Court or the Housing Commission, provided that the member does not withdraw his or her accumulated contributions from the employees' savings fund. The member's retirement allowance shall begin the first day of the calendar month next following the month in which his or her application for the same is filed with the Board of Trustees on or after the member's attainment of the age of fifty-eight years. During the period of the member's absence from employment with the City, the District Court or the Housing Commission, regular interest shall be credited to the member's accumulated contributions standing to his or her credit in the employees' savings fund.

(b) If any member who has eight or more years of credited service separates from the employ of the City, the District Court or the Housing Commission prior to the attainment of the age of fifty-eight years, except through retirement or death, and if the member thereafter dies prior to attainment of the age of fifty-eight years, the designated surviving spouse shall be entitled to a retirement allowance as provided in Section 292.27, Option A, as such section was in force at the time of the member's separation from employment with the City, the District Court or the Housing Commission, provided that the member does not withdraw any accumulated contributions from the employees' savings fund. The designated surviving spouse's retirement allowance shall begin the first day of the calendar month next following the month in which the designated surviving spouse files an application for the same with the Board on or after the date the deceased former member would have attained the age of fifty-eight years. During such deferral period, regular interest shall be credited to the deceased former member's accumulated contributions standing to his or her credit in the employees' saving fund.

(c) FOR A MEMBER EMPLOYED IN A COVERED POSITION ON OR AFTER THE COVERED POSITION EFFECTIVE DATE, WHO DOES NOT ELECT TO TERMINATE MEMBERSHIP AS PROVIDED IN SECTION 292.14(c), THE AGE FIFTY-EIGHT (58) COMMENCEMENT AGE PROVIDED IN SUBSECTIONS (a) AND (b) OF THIS SECTION SHALL BE REPLACED BY A COMMENCEMENT AGE THAT IS THE EARLIER OF AGE FIFTY-EIGHT (58) YEARS OR THE AGE, IN YEARS AND FULL MONTHS, WHICH WHEN ADDED TO THE MEMBER'S YEARS AND FULL MONTHS OF CREDITED SERVICE EQUALS OR EXCEEDS SIXTY-FIVE (65) YEARS.

(d) Any member who had five or more years of credited service and was transferred from the employ of the City to the employ of the County Health Department on July 1, 1947, shall remain a member during the period of employment by the County Health Department. Whenever the sum of City credited service and County credited service equals at least ten years, the member shall become entitled to a deferred retirement allowance computed according to Section 292.21 upon the basis of the member's City credited service. In determining the member's final average compensation, the member's compensations paid by the County Health Department shall be treated as if they were paid by the City. The retirement allowance shall begin the first day of the calendar month next following the month in which the member's application for the same is filed with the Board on or after the member's attainment of the age of sixty years, or the member's retirement from County employment, whichever is later. If the member withdraws all or part of his or her accumulated contributions from the employees' savings fund, he or she shall thereupon cease to be a member and shall forfeit all rights in and to a deferred retirement allowance as provided for in this section.

Section 5. Section 292.311 is enacted to read as follows:

292.311 TRANSFER OF ASSETS

FOR EACH EMPLOYEE WHO ELECTS TO TERMINATE MEMBERSHIP IN THE RETIREMENT SYSTEM, PURSUANT TO SECTION 292.14(c), A LUMP SUM AMOUNT WILL BE TRANSFERRED FROM THE RETIREMENT SYSTEM TO A SUCCESSOR RETIREMENT PLAN QUALIFIED UNDER SECTION 401(a) OF THE INTERNAL REVENUE CODE. THE AMOUNT TRANSFERRED SHALL BE THE SUM OF (a) AND (b):

(a) THE ACCUMULATED CONTRIBUTIONS STANDING TO THE MEMBER'S ACCOUNT IN THE EMPLOYEES SAVINGS FUND SHALL BE TRANSFERRED FROM THE EMPLOYEES SAVINGS FUND.

(b) THE EXCESS, IF ANY, OF THE FUNDED PORTION OF THE MEMBER'S ACTUARIAL PRESENT VALUE OF CREDITED PROJECTED BENEFITS, AS OF THE DATE OF MEMBERSHIP TERMINATION, OVER THE AMOUNT SPECIFIED IN SUBSECTION (a) OF THIS SECTION SHALL BE TRANSFERRED FROM THE PENSION ACCUMULATION FUNDS. THE FUNDED PORTION SHALL BE DETERMINED BY THE DECEMBER 31, 1989 ANNUAL ACTUARIAL EVALUATION PREPARED BY THE RETIREMENT SYSTEM'S ACTUARY. UPON TRANSFER OF THE ABOVE AMOUNTS, THE EMPLOYEE SHALL WAIVE ALL RIGHTS TO A PENSION, ANNUITY, RETIREMENT ALLOWANCE OR RETURN OF THE ACCUMULATED CONTRIBUTIONS FROM THE RETIREMENT SYSTEM.

Section 4. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 5. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect.

CONSIDERATION OF LATE ITEMS, IF ANY

1/ Letter from Recyclers of Ingham, Eaton and Clinton Counties regarding Funding

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

2/ Letter from Mayor McKane regarding Lansing Civic Arena Sale

(See Resolution #506)

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

3/ Resolution for Hispanic Substance Abuse Prevention Day

(See Resolution #507)

4/ Resolution making Appointments to the Community Corrections Committee

(See Resolution #508)

5/ Report on Michigan Municipal League Conference submitted by Councilmember Schmidt

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE AD HOC COMMITTEE ON RECYCLING

6/ Information received from the Mayor's Office regarding Crossing Guards

RECEIVED AND PLACED ON FILE

7/ Letter from Mayor McKane regarding Finance Department Overtime

REFERRED TO THE COMMITTEE OF THE WHOLE

8/ Resolution granting Non-Profit Status to the Capital Area Humane Society

(See Resolution #509)

9/ Resolution setting a Public Hearing for October 8, 1990 for an Application from P. S. Partnership to Establish a Lansing Industrial Development District

(See Resolution #510)

PUBLIC COMMENTS

Frank Curtis of 1137 W. Allegan stated that he is about ready to start cutting some throats.

Paul Novak, representing the Recyclers of Ingham, Eaton, and Clinton Counties, thanked Council for the resolution of a couple of weeks ago expediting the action to locate a drop off site for recycling.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd stated that the candlelight vigil to support the World Summit for Children will be held in Lansing on September 23d.

REMARKS BY COUNCILMEMBERS

Councilmember Adado asked Al Knot to clarify Proposal 2 adopted by the voters in August regarding who was directed to pickup, store, market and recycle the recycled materials. City Attorney Knot responded that he had never been asked to interpret the meaning of Proposal 2 before it was voted upon. Mr. Knot stated that the wording of Proposal 2 is clear that the Public Service Department need only administer a recycling program; there is no restriction for them to not subcontract the work. Mr. Knot also wished to make it clear to all Councilmembers that as of June 1, 1991, all City trash pickup, including bulk items, will be discontinued to be replaced by the plan dictated by Proposal 2. Mr. Knot stated that the City Charter does not allow adoption of other ordinances to cover this if the new program is not in place by June 1, 1991.

Councilmember Schmidt requested action by the Committee on Physical Development on the requests that have been received for extension of payments on special assessments. Councilmember Canady stated that he would take these up at the September 20, 1990, Committee meeting.

Councilmember Ford stated that he had received an inquiry from someone regarding a special assessment they received. They said that the notice stated the work would not be done for six months and Councilmember Ford wanted to know if this was proper procedure to send an assessment for work that has not been completed. Mr. Severy was directed to respond to this question.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:35 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, September 24, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
September 24, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides:

To accept the following under suspension of the rules:

1/ Interim Financial Report for 1990

2/ Adoption Agreement for the Alternative Retirement System

3/ Request for Waiver of Fees Received from Betty Pond, Volunteer for the Lansing Hmong People

4/ To move Special Ceremonies ahead of Public Hearings on tonight's Agenda

5/ An additional Special Ceremony Honoring Lansing Area Sports Teams

Carried unanimously.

PUBLIC HEARINGS

1. Z-18-90 233/235 North Pine Street to be rezoned from "DM-4" Residential to "D-2" Residential/Office District

Jim Hallan, President of the Michigan Retailers Association, detailed plans that they have regarding this rezoning and Public Hearing #2 and requested Council passage of these Ordinances.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Z-19-90 229 North Pine Street to be rezoned from "DM-4" Residential to "D-2" Residential/Office District

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Make-safe or Demolish for Property Located at 422 Liberty Street

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. Make-safe or Demolish for Property Located at 226 S. Hosmer (Garage Only)

Beryl Shook of 226 S. Hosmer spoke in opposition to the make-safe or demolition order.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5. Make-safe or Demolish for Property Located at 909 W. Kalamazoo Street

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

6. Make-safe or Demolish for Property Located at 4917 Starr Avenue

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7. Make-safe or Demolish for Property Located at 2113 Marcus Street

Gregory Smith of 1110 East Saginaw, representing the owners of this property, stated that they intend to make repairs to this property as soon as they receive funds from the insurance company.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8. Make-safe or Demolish for Property Located at 1233-35 North Walnut Street

The owner of this property stated that the property was just repossessed and that he is trying to get it fixed up.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

9. New Sign Code Ordinance

The following spoke in support of the proposed Sign Code Ordinance:

-Floyd Wright of 1319 W. Rundle, spokesperson for the Planning Board
-Richard Lorencen representing Central Advertising at 2726 North Grand River Avenue
-Mary Margaret Woll of the Eastside Neighborhood Association
-Dick Williams of 909 West Holmes Road

Gary Andrews of 560 Brooklyn Blvd. spoke in opposition to the portion of the Sign Code Ordinance dealing with murals and artwork. He presented a "prior notice" document stating his objections.

Frank Curtis of 1137 W. Allegan stated that he agreed with Mr. Andrews.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

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10. Amendment to Section 288.06 of Chapter 288 of Title 10 of the Code of Ordinances Regarding Qualifications for Police Chief

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENTS

There were no Public Comments.

SPECIAL CEREMONIES

Dwight Dean and Sandra McLaughlin of the Census Bureau presented Plaques to the City.

Mayor McKane recognized the winners of the youth baseball State Championships and the Hershey Track & Field State Final winners.

COMMUNICATIONS AND PETITIONS

By Councilmember Adado:

That Communications and Petitions be considered as read in full and referrals made by the Council President.

Carried unanimously.

A. Letters received requesting extension of time period to pay Special Assessment:

-from George Grabowski, representing Lansing Gardens at 1434 E. Jolly Road

-from Thomas M. Burchman, Vice President of Wolverine Development Corporation

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Letter from Jane Swanchara, Clinton County Clerk, regarding the Regional Solid Waste Alternatives Study

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

C. Notices of permits being issued received from Department of Natural Resources for:

-Construction of a one story duplex on a crawl space within the 100-year floodplain of Sycamore Creek

-Construction of a 23 x 9, restroom/locker room addition to the existing maintenance garage within the floodplain of the Red Cedar River

REFERRED TO THE MAYOR

D. Z-22-90 Petition for rezoning 216 West Lapeer from "DM-4" Residential District to "D-1" Professional Office District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Z-23-90 Petition for rezoning lots located within the Rivercrest Subdivision from "B" Residential District and "H" Light Industrial to "I" Heavy Industrial

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Notice received from the Department of Social Services of a License issued to Larry and Carolyn Carter of 2310 Labelle Street for a Foster Family Group Home for Children

REFERRED TO THE MAYOR

G. Letter from the Department of Transportation regarding an open house on the Capitol Loop

RECEIVED AND PLACED ON FILE

H. Letter from the Michigan Municipal Liability and Property Pool regarding a new publication

RECEIVED AND PLACED ON FILE

I. Letter from Si Nama of 627 E. Greenlawn Street regarding traffic violations in their neighborhood

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

J. Letter from the Office of Community Corrections informing of a request for funding of a "House of Commons" program

REFERRED TO THE MAYOR

K. Letter received from the Arts Council Center of Greater Lansing requesting consideration for funding

REFERRED TO THE MAYOR

L. Letter from the Office of Children and Youth Services regarding request to vacate 227 North Sycamore

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

M. Letter from Friends of Fenner Arboretum regarding the Master Plan for Lansing Parks

REFERRED TO THE MAYOR

N. Letter from Officer Richard VanDussen regarding the Bayview and Woodcreek Intersection

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

O. Letter from Riverwalk Theatre regarding closure of Michigan Avenue between Grand and Cedar over Labor Day Weekend

Council President Belen stated that downtown businesses need to be informed prior to events such as this.

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

McKane reviewed all of his letters that are on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

1. Letters from City Clerk submitting routine applications for action on licenses and bonds:

A. APPROVALS:
Resolution #511
September 24, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

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Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Harvey John Lockhart, Roland E. Crawley
SDM LIQUOR LICENSE: Lucile M & Steven Graham
HEALTH CLUB: YMCA

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Adado:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously.

B. Information-Only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 17, 1990 for Review

RECEIVED AND PLACED ON FILE

2. Audit Reports received from Deloitte & Touche for Board of Water & Light and the Plan for Employees, Pension of the Board of Water & Light

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Annual Reports received for the Employees, Retirement System and Police and Fire Retirement System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Letters from the City Attorney regarding:

A. Michigan Tax Tribunal Cases for:

Resolution #512
9/21/90
COUNCIL PRESIDENT LUCILE BELEN AND MEMBERS OF THE LANSING CITY COUNCIL

ALVAN P. KNOT, City Attorney

MICHIGAN TAX TRIBUNAL DOCKET NO. 109210
RECOMMENDATION FOR SETTLEMENT

TAX CODE: 3301-16-330-031-6
PROPERTY: Commerce Center Building, 300 S. Capitol Avenue

PROPERTY DESCRIPTION: This is an office building containing 247,734 square feet of net usable area, located in the downtown area of Lansing. The 14-story building is of steel frame construction with metal decking and concrete floors with exterior glass panels. Once the income and expense statements and leases were made available and an environmental impact study was made with regard to the asbestos, it was discovered that the asbestos in the building was in a friable state and would require total removal.

When considering all data, it is the opinion of both this office and that of the Assessor that the following stipulation represents a fair value for the years in question.

YEAR	ORIGINAL ASSESSMENT	STIPULATION
1987	$4,343,800	$4,343,800
1988	4,343,800	4,343,800
1989	4,343,800	1,550,000
1990	4,343,800	1,550,000

Should you have any questions or require additional information, as always, please feel free to contact me.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Attorney.

Carried unanimously.

Resolution #513
09/25/90
TO: COUNCIL PRESIDENT LUCILE BELEN AND MEMBERS OF THE LANSING CITY COUNCIL

FROM: ALVAN P. KNOT, City Attorney

MICHIGAN TAX TRIBUNAL DOCKET NO. 118427
RECOMMENDATION FOR SETTLEMENT

TAX CODES: 3301-35-452-001 1; 3301-34-453-001 2;
3301-35-451-001 9; 3301-34-452-001 0

PROPERTY: Springtree Apartments

ADDRESS: Various addresses on Beaujardin

PROPERTY DESCRIPTION: This property contains 528 total apartment units consisting of 96 one-bedroom units, 332 two-bedroom units and 100 three-bedroom units. The property income and expense records for the past few years were presented to this office by the property owner's representative. This data, along with market information of the area, was studied and discussed with representatives from the property in question. Based upon this data it is the recommendation of both the Assessors Office and this officer that the following stipulation serve as a full and final settlement of this matter.

YEARS APPEALED: 1988—1989—1990

PARCEL NUMBERS:	ORIGINAL ASSESSMENT	STIPULATION
3301-35-452-001 1	$945,900	$918,200
3301-35-453-001 2	1,994,800	1,936,300
3301-35-451-011 9	634,900	616,300
3301-35-452-011 0	545,200	529,200
TOTAL:	**$4,120,800**	**$4,000,000**

Should you require further clarification, as always, please feel free to contact me.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to acceot the recommendation of the City Attorney.

Carried unanimously.

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Resolution #514
9/25/90
TO: COUNCIL PRESIDENT LUCILE BELEN AND MEMBERS OF THE LANSING CITY COUNCIL

FROM: ALVAN P. KNOT, City Attorney
MICHIGAN TAX TRIBUNAL DOCKET NO. 12911 1033 GROUP-/RECOMMENDATION FOR SETTLEMENT OF APPEAL TO TAX TRIBUNAL

PROPERTY: 1033 S. Washington
TAX CODES: 3301-21-252-037

PROPERTY DESCRIPTION: The property in question is an office building currently housing the Michigan Tax Tribunal. During the course of the appeal of the assessment on the building, documents pertaining to the purchase of the property, lease with the State of Michigan, income and expense data and building maintenance were received by this office. After reviewing and giving due consideration to this data and considering the structural condition and location of the building, the following stipulation for the 1989 property value was proposed.

PROPERTY: 3301-21-252-037
1989 ASSESSED 364,400
PETITIONER REQUEST 289,500
1989 STIPULATION 330,000

It is the recommendation of both this office and the Assessor's Office that the foregoing Stipulation serve as a full and final settlement of appeal of the subject assessment.

Should you have further questions or require additional clarification, as always, please feel free to contact me. Thank you.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Attorney.

Carried unanimously.

Resolution #515
9/25/90
TO: COUNCIL PRESIDENT LUCILE BELEN AND MEMBERS OF THE LANSING CITY COUNCIL

FROM: ALVAN P. KNOT, City Attorney

CARL LEE SMITH v CITY OF LANSING, et al

The above matter involves a lawsuit filed by Mr. Smith against the City, the Lansing Police Department, the Chief of Police, and a Lansing Police Officer. The Complaint alleges that the officer falsely arrested Mr. Smith, assaulted him, and as a result, deprived him of his constitutional rights. The Complaint further alleges that the Police Chief failed to adequately supervise and train the police officer.

Discovery was undertaken by all parties to this action and the matter was later mediated. The mediation panel rendered an award and settle discussions subsequently ensured. As a result of these discussions an offer was presented to the City for settlement purposes. This offer consisted of a full and final settlement upon the payment of $3,000. Significantly, this amount is less than that awarded by the mediation panels. It is the recommendation of both the Police Chief and this officer that the offer of $3,000 be accepted.

As always, if you have any questions or require further clarification, please feel free to contact me.

Thank you.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Attorney.

Carried unanimously.

5. Letters from the Mayor re:

A. Z-19-90, 220 North Pine Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Z-18-90, 233/235 North Pine Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Acquisition of 208 Hill Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. SLU-4-90, 609/611/615 South Grand Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E.Traffic Control: Dorrance Court and Genesee Street (4-Way Stop and Speed Limit Change)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. Traffic Control: Lindberg and Shubel Avenue (Stop Sign)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

G. Traffic Control: Parkdale Avenue and Shubel Avenue (Stop Sign)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

H. Traffic Control: Pershing Avenue and Shubel Avenue (Stop Sign)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

I. Speed Survey: Thomas at Gary Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

J. Report on Activities at 139 South Magnolia and 201 South Magnolia

RECEIVED AND PLACED ON FILE

K. Letter from Linda Macuga Regarding Gardens at Frances Park

RECEIVED AND PLACED ON FILE

L. Storm Sewer Petition for Mildred Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

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M. Letters of Endorsement for Sign Ordinance from Lansing Planning Board and Eastside Neighborhood Association

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

N. Trash Violation Fee (V-21)—$1,967.53

Resolution #516
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: September 20, 1990
SUBJ: Trash Violation Fee (V-21)—$1,967.53

The attached assessments/fees for trash and debris removed from R.O.W. are submitted with my concurrence for your review and appropriate action.

By Councilmember Lindemann:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously.

O. Barricade Reports

RECEIVED AND PLACED ON FILE

P.Resignation of Rick Kibbey from Cedar Larch Citizens District Council

RECEIVED AND PLACED ON FILE

Q. Request for Authorization of Grant Application to be Submitted to Michigan Dept. of Transportation for Funds to Construct a Cul-de-sac on Diamond Reo Property

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

R. Outstanding Encumbrances

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

THE COMMITTEE ON PUBLIC SERVICES

TO WHOM WAS REFERRED the claim of Mr. William Bernstein in the sum of $20,000 for lost rents and revenues from his property at 418 Baker Street, Lansing.

REPORTS AS FOLLOWS: The Committee has reviewed the original claim which was first filed by Mr. Bernstein in 1988, and reviewed all the information which was received at that time. Upon examination of the claim, and providing the claimant with the opportunity to be heard, the Committee finds the claim was denied by the General Services Committee in May of 1989 which determined it to be without merit and, therefore, resolved it at the Committee level. Mr. Bernstein, in the instant claim, requests his matter be presented to the entire council and does not supply any new information towards his claim. As a result of this Committee's review, it concurs in the Administration's recommendation and the May 9, 1989, General Service's recommendation to deny the claim of Mr. William Bernstein.

The Committee recommends denial of the complaint.

SIGNED

BY COUNCILMEMBER LINDEMANN

That the report of the Committee be adopted.

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

September 21, 1990
Z-18-90
233/235 North Pine Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-18-90—233/235 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District.

REPORTS AS FOLLOWS: That said rezoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

September 21, 1990
Z-19-90
229 North Pine Street

COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-19-90—229 North Pine Street to be rezoned from "DM-4" Residential District to
"D-2" Residential/Office District

REPORTS AS FOLLOWS: That said rezoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

RESOLUTIONS

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Resolution #517
BOND RESOLUTION

WHEREAS, the necessary proceedings have been taken to make various public improvements and special assessments have been made against lands in various special assessment districts to pay the cost of the public improvements; and

WHEREAS, the special assessments have been made payable into annual installments, together with interest on the unpaid installments from time to time remaining unpaid at a rate of 7% per annum, which rate shall be adjusted after the sale of bonds in anticipation of the special assessments.

IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, INGHAM AND EATON COUNTIES, MICHIGAN, as follows:

1. AUTHORIZATION OF BONDS—PURPOSE. Bonds of the City of Lansing (the "City"), Ingham and Eaton Counties, Michigan, shall be issued in the aggregate principal sum of Eight Hundred Thousand Dollars ($800,000) in anticipation of the collection of an equal amount of installments of assessments against lands on the following Special Assessment Rolls: 301, 303, 304, 305, 307, 308, 309, 311, 312, 314, 315, 21B, 24B, B25, B26, B27, 28B, B30, 31B, 40B, B43 and B44.

2. BOND DETAILS. The bonds shall be designated "City of Lansing Limited Tax Obligation Special Assessment Bonds, Series 1990A"; shall be dated as of September 1, 1990, or such later date as the Finance Director shall determine; shall be numbered consecutively from 1 upwards; shall be fully registered; shall be in the denomination of $5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser of the bonds; shall bear interest at a rate or rates not exceeding 10% per annum to be determined upon the sale of the bonds, payable on April 1, 1991, and semiannually thereafter on the first days of October and April in each year; and shall mature October 1 as follows:

Year	Amount	Year	Amount
1991	$155,000	2000	$25,000
1992	140,000	2001	25,000
1993	75,000	2002	25,000
1994	65,000	2003	20,000
1995	50,000	2004	10,000
1996	50,000	2005	10,000
1997	55,000	2006	15,000
1998	40,000	2007	10,000
1999	30,000		

Interest shall be computed based on a 360-day year of twelve 30-day months.

3. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the bonds shall be payable in lawful money of the United states. Principal shall be payable upon presentation and surrender of the bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each bond as shown on the registration books of the City kept by the bond registrar and paying agent at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. PRIOR REDEMPTION. The bonds maturing prior to October 1, 2001, shall not be subject to redemption prior to maturity. Bonds maturing on and after October I, 2001, shall be subject to redemption at the option of the City, in any order of maturity and in whole or in part at any time on and after July 1, 2000, at a price of par plus accrued interest to the date of redemption.

Notice of redemption shall be given not less than thirty (30) days prior to the redemption date to the owner of each bond called for redemption as shown on the registration books by first class mail addressed to the address shown on the registration books at the close of business forty five (45) days prior to the redemption date. Failure to receive notice of redemption shall not affect the proceedings for redemption.

5. BOND REGISTRAR AND PAYING AGENT. Manufacturers National Bank of Detroit in the City of Detroit, Michigan, is hereby designated as the bond registrar and paying agent for the bonds and the Finance Director is hereby authorized to enter into an agreement with the bond registrar and paying agent. The Finance Director may from time to time designate a similarly qualified successor bond registrar and paying agent.

6. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The bonds shall be executed in the name of the City of Lansing by the facsimile signatures of the Mayor and the City Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the City of Lansing or a facsimile thereof shall be impressed or imprinted on the bonds. After the bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the Finance Director to the purchaser upon receipt of the purchase price. Additional bonds bearing the facsimile signatures of the Mayor and the City Clerk and upon which the seal of the City of Lansing or a facsimile thereof is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of bonds. The bond registrar and paying agent shall indicate on each bond the date of its authentication.

7. EXCHANGE AND TRANSFER OF BONDS. Any bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond.

Each bond shall be transferable only upon the books of the City of Lansing, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any bond, the bond registrar and paying agent on behalf of the City of Lansing shall cancel the surrendered bond and shall authenticate and deliver to the transferee a new bond or bonds of any authorized denomination of

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the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond. If, at the time the bond registrar and paying agent authenticates and delivers a new bond pursuant to this section, payment of interest on the bonds is in default, the bond registrar and paying agent shall endorse upon the new bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____"

The City of Lansing and the bond registrar and paying agent may deem and treat the person in whose name any bond shall be registered upon the books of the City of Lansing as the absolute owner of such bond, whether such bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such bond to the extent of the sum or sums so paid, and neither the City of Lansing nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City of Lansing agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of bonds, the City of Lansing or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

8. FORM OF BONDS. The bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING
LIMITED TAX GENERAL OBLIGATION
SPECIAL ASSESSMENT BOND, SERIES 1990A

Interest Rate	Maturity Date	Date of Original Issue	CUSIP
	October 1	Sept. 1, 1990	

Registered Owner

Principal Amount

The City of Lansing (the "City"), Ingham and Eaton Counties, State of Michigan, acknowledges itself indebted to, and for value received, hereby promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above upon presentation and surrender of this bond at the corporate trust office of Manufacturers National Bank of Detroit in the City of Detroit, Michigan, the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the Bond Resolution (the "Bond Resolution") adopted by the City Council of the City on _____, 1990, and to pay to the Registered Owner as shown on the registration books as of the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount until the City's obligation with respect to the payment of such Principal Amount is discharged at the rate per annum specified above. Interest is payable on the first days of April and October in each year, commencing on April 1, 1990. Principal and interest are payable in lawful money of the United States of America. Interest shall be computed based upon a 360-day year of twelve 30-day months.

This bond is one of a series of bonds aggregating the principal sum of Eight Hundred Thousand ($800,000) issued by the City under and pursuant to and in full conformity with the Constitution and Statutes of Michigan and the Bond Resolution for the purpose of paying part of the cost of various public improvements in the City. The bonds of this series of bonds are issued in anticipation of the collection of an equal amount of special assessments assessed against lands on Special Assessment Rolls 301, 303, 304, 305, 307, 309, 311, 312, 314, 315, 21B, 24B, B25, B26, B27, 28B, B30, 40B, B43 and B44.

The full faith and credit of the City are pledged for the payment of the principal of and interest on this bond as the same become due. If receipts from the special assessments in anticipation of which the bonds of this series are issued shall not be sufficient to pay the principal of and interest on the bonds, when due, moneys shall be advanced from the general fund of the City to pay such principal and interest. The City's ability to raise such moneys is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City.

This bond is transferable, as provided in the Bond Resolution, only upon the books of the City kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his or her attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Bond Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of $5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

Bonds maturing prior to October 1, 2001, are not subject to optional redemption prior to maturity. Bonds maturing on and after October 1, 2001, are subject to redemption at the option of the City, in any order of maturity and in whole or in part at any time on and after October 1, 2000, at a price of par plus accrued interest to the date of redemption.

Notice of redemption shall be given not less than thirty (30) days prior to the redemption date to the owner of each bond called for redemption as shown on the registration books of the City kept by the bond registrar and paying agent, by first class mail addressed to the address shown on the registration books at the close of

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business forty five (45) days prior to the redemption date. Failure to receive the notice shall not affect the proceedings for redemption.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Lansing, Ingham and Eaton Counties, State of Michigan, by its City Council, has caused this bond to be executed in its name by facsimile signatures of the Mayor and the City Clerk and its corporate seal or a facsimile thereof to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

CITY OF LANSING
(SEAL)

By: _____ By: _____
City Clerk Mayor

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described herein.

MANUFACTURERS NATIONAL BANK OF DETROIT
Bond Registrar and Paying Agent

By: _____
Authorized Signature

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

_____

(please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____

_____

attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

_____ _____

Signature Guaranteed: NOTICE: The signature(s) to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

_____

Signature(s) must be guaranteed by a commercial bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges. The transfer agent will not effect transfer of this bond unless the information concerning the transferee requested below is provided.

Name and Address: _____

PLEASE INSERT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER OF TRANSFEREE

_____

_____

_____ (Include information for all joint owners if the bond is held by joint account)

(Insert number for first named transferee if held by joint account)

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9. SECURITY. The principal of and interest on the bonds shall be payable primarily out of the collections of the special assessments in anticipation of which they are issued and the full faith and credit of the City of Lansing are pledged to the payment of such principal and interest. If the receipts from the special assessments in anticipation of which the bonds are issued are not sufficient to pay the principal of and interest on the bonds, when due an amount sufficient to pay the deficiency shall be advanced from the general fund of the City of Lansing. The ability of the City of Lansing to raise such funds is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City of Lansing.

10. ESTIMATES OF PERIOD OF USEFULNESS AND COST. The estimated period of usefulness of the improvements for which the bonds are to be issued is hereby determined to be in excess of 20 and the estimated cost thereof in the amount of $1,731,343 is hereby approved and adopted.

11. PRINCIPAL AND INTEREST FUND. There shall be established for the bonds a Principal and Interest Fund which shall be kept in a separate bank account. From the proceeds of the sale of the bonds there shall be set aside in the Principal and Interest Fund any premium and accrued interest received from the purchaser of the bonds at the time of delivery of the bonds. From the first collections, after the adoption of this Bond Resolution, of special assessments and interest on the special assessments on the special assessment rolls in anticipation of which the bonds are being issued, an amount equal to the interest due on the bonds on April 1, 1991, less the accrued interest received from the purchasers of the bonds, and all collections due on and after July 1, 1991, including principal, interest and penalties, of the special assessments, in anticipation of the collection of which the bonds are issued shall be placed in the Principal and Interest Fund and so long as the principal of or interest on any of the bonds shall remain unpaid, no moneys shall be withdrawn from such fund except to pay such principal and interest.

12. CONSTRUCTION FUND. The remainder of the proceeds of the sale of the bonds shall be set aside in a construction fund and used to acquire, construct and install the various improvements for which the special assessments in anticipation of which the bonds are issued were imposed. The City may reimburse itself for expenditures made in the acquisition, construction and installation of the various public improvements prior to the delivery and payment for the bonds. Any unexpended proceeds of the sale of the bonds remaining after completion of the construction of the various improvements shall be deposited in the Principal and Interest Fund, invested therein at a yield not exceeding the yield on the bonds and be used to make annual principal payments with respect to the bonds; provided, however, that the portion of each annual principal payment with respect to the bonds that may be paid from such unexpended proceeds is an amount that bears the same ratio to the annual principal due that the total unexpended proceeds bears to the face amount of the bonds.

13. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS The Mayor, City Clerk, Finance Director and the City Attorney are authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the bonds in accordance with the provisions of this resolution and to take any actions on behalf of the City of Lansing, including the making of covenants of the City of Lansing, deemed necessary and appropriate to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes.

14. TAX COVENANT. The City of Lansing covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended, necessary to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes.

15. NOTICE OF SALE. The Notice of Sale for the bonds shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

$800,000

CITY OF LANSING
INGHAM AND EATON COUNTIES, STATE OF MICHIGAN

LIMITED TAX GENERAL OBLIGATION
SPECIAL ASSESSMENT BONDS, SERIES 1990A

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the Mayor's office, City Hall, 124 W. Michigan Avenue, Lansing, Michigan on _____, the _____ day of _____, 1990, until _____ o'clock, P.M., Eastern _____ Time, at which time and place the bids will be opened and read publicly.

IN THE ALTERNATIVE: Sealed bids also will be received on the same date and until the same time by an agent of the undersigned at the office of the Municipal Advisory Council of Michigan, 1445 First National Building, Detroit, Michigan 48226, where they will be opened and read publicly. Bids opened at Detroit, Michigan will be read first. Bidders may choose either location to present bids but may not present bids at both locations.

BOND DETAILS: The bonds will be fully registered bonds of the denomination of $5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof, dated September 1, 1990, and will bear interest from their date payable on April 1, 1991, and semiannually thereafter.

The bonds will mature on October 1, as follows:

Year	Amount	Year	Amount
1991	$155,000	2000	$25,000
1992	140,000	2001	25,000
1993	75,000	2002	25,000
1994	65,000	2003	20,000
1995	50,000	2004	10,000
1996	50,000	2005	10,000
1997	55,000	2006	15,000
1998	40,000	2007	10,000
1999	30,000		

PRIOR REDEMPTION: The bonds maturing prior to October 1, 2001, are not subject to redemption prior to maturity. Bonds maturing on and after October 1, 2001, are subject to redemption at the option of the City, in any order of maturity and in whole or in part at any time on and after October 1, 2000, at a price of par plus accrued interest to the date of redemption.

Notice of redemption shall be given not less than thirty (30) days

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prior to the redemption date to the owner of each bond called as shown on the registration books of the City kept by the bond registrar and paying agent at the close of business forty five (45) days prior to the redemption date by first class mail addressed to the address shown on the registration books. Failure to receive the notice shall not invalidate the proceedings for redemption.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 10% per annum, to be fixed by the bids therefor, expressed in multiples of ⅛ or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the bonds shall not exceed 3 percentage points. No proposal for the purchase of less than all of the bonds or at a price less than 100% of their par value will be considered.

BOND REGISTRAR AND PAYING AGENT: The bonds shall be payable as to principal in lawful money of the United States upon surrender thereof at the corporate trust office of Manufacturers National Bank of Detroit in the City of Detroit, Michigan, the bond registrar and paying agent. Interest shall be paid to the registered owner of each bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to each registered owner at the address shown on the registration books. The City of Lansing may from time to time as required designate a successor bond registrar and paying agent.

REGISTRATION OF BONDS: The successful bidder shall notify the bond registrar and paying agent in writing of the denominations and initial registered owners of the bonds on or before 5:00 P.M., _____ 1990. In the event of the failure to so notify the bond registrar and paying agent within such time, the City of Lansing shall specify the denominations of bonds to be delivered to the successful bidder and the successful bidder shall be the initial registered owner thereof

PURPOSE AND SECURITY: The bonds are issued in anticipation of the collection of special assessments for public improvements in various special assessment districts in the City of Lansing, as set forth in the bond authorizing resolution. The special assessments and interest thereon are sufficient to pay the principal of and interest on the bonds when due. The full faith and credit of the City of Lansing have been pledged for the payment of the principal of and interest on the bonds and in case of the insufficiency of the special assessments, moneys shall be advanced from the general fund of the City of Lansing to meet such deficiency. The ability of the City of Lansing to raise such moneys is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City of Lansing.

GOOD FAITH: A certified or cashier,s check in the amount of $_____ drawn upon an incorporated bank or trust company and payable to the order of the Treasurer of the City of Lansing must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail. The good faith check of the successful bidder will be cashed immediately and payment for the balance of the purchase price of the bonds will be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the bonds from _____ 1, 1990, to their maturity and deducting therefrom any premium.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Dickinson, Wright, Moon, Van Dusen & Freeman, attorneys of Lansing, Michigan, a copy of which opinion will be printed on the reverse side of each bond, and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Dickinson, Wright, Moon, VanDusen & Freeman for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to the validity of the above bonds, Dickinson, Wright, Moon, Van Dusen & Freeman has made no inquiry as to any financial information, statements or material contained in any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds and, accordingly, will not express any opinion with respect to the accuracy or completeness of any such financial information, statements or materials.

CUSIP: CUSIP, numbers will be printed on bonds of this issue at the issuer s expense. Neither the failure to print numbers nor an improperly printed number will constitute cause for the purchas+r to refuse to accept delivery. The purchaser shall be responsible for requesting assignment of numbers and for the payment of any charges for the assignment of numbers.

DELIVERY OF BONDS: Bonds will be delivered without expense to the purchaser at Lansing or Detroit, Michigan, or elsewhere at the expense of the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern _____ Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned in which event the City of Lansing shall return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery.

TAX MATTERS. In the opinion of bond counsel, based upon its examination of the documents described in its opinion, under existing law, the interest on the bonds (a) is excluded from gross income for federal income tax purposes, and (b) is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations must take into account interest on the bonds in determining adjusted current earnings income (adjusted net book income for taxable years beginning before January 1, 1990) for the purpose of computing such alternative minimum tax. The opinion set forth in clause (a) above

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is subject to the condition that the City of Lansing comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code"), that must be satisfied subsequent to the issuance of the bonds in order that interest thereon be (or continue to be) excluded from gross income for federal income tax purposes. Failure to comply with certain of such requirements could cause the interest on the bonds to be included in gross income retroactive to the date of issuance of the bonds. The City of Lansing has covenanted to comply with all such requirements. Bond counsel will express no opinion regarding other federal tax consequences arising with respect to the bonds.

The City of Lansing has not designated the bonds as Qualified Tax Exempt Obligations as described in Section 265(b)(3)(B) of the Code.

The successful bidder will be required, as a condition of delivery of the bonds, to certify the "issue price" of the bonds within the meaning of Section 1273 of the Code. The form of an acceptable certificate will be provided by bond counsel.

In addition, in the opinion of bond counsel, based upon its examination of the documents described in its opinion, under existing law, the bonds and the interest thereon are exempt from all taxation in the State of Michigan except inheritance taxes and taxes on gains realized from the sale, payment or other disposition thereof.

OFFICIAL STATEMENT: A copy of the Issuer's official statement relating to the bonds may be obtained by contacting the Finance Director of the City of Lansing at the address referred to below. The official statement is in a form deemed final by the Issuer for purposes of paragraph (b)(1) of SEC Rule 15c2-12 (the "Rule"), but is subject to revision, amendment and completion in a final official statement.

After the award of the bonds, the Issuer will provide on a timely basis 200 copies of a final official statement, as that term is defined in paragraph (e)(3) of the Rule, at the Issuer's expense (and such additional copies of the final official statement as reasonably requested by, and at the expense of, the successful bidder or bidders) to enable the successful bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board. Requests for such additional copies of the final official statement shall be made to the Finance Director, Fifth Floor, City Hall, 124 W. Michigan Avenue, Lansing, Michigan 48933, within 24 hours of the award of the bonds.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Bonds."

Stephen Duarte, Finance Director
City of Lansing, Michigan

16. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, redemption premium, if any, and interest on the bonds, shall have been deposited in trust, this Bond Resolution shall thereupon be defeased and the owners of the bonds shall have no further rights under this Bond Resolution except to receive payment of the principal of, redemption premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

17. OFFICIAL STATEMENT. The Finance Director is authorized to cause the preparation of a nearly final official statement and a final official statement for the bonds for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") by the successful bidder or bidders, and to do all other things necessary to enable compliance with the Rule by the successful bidder or bidders. After the award of the bonds, the City shall provide, on a timely basis, up to 600 copies of the final official statement at its expense (and such additional copies of the final official statement as reasonably requested by, and at the expense of, the successful bidder or bidders) to enable the successful bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

18. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

By Councilmember Benavides:

Carried unanimously.

Resolution #518
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on August 7, 1990, Lansing residents overwhelmingly evidenced their desire to preserve Lansing's heritage, and to provide a diverse range of cultural and recreational activities for all current and future residents of Lansing, by approving the levy of one additional mill for five years for the purpose of operating the City's parks, zoo, and recreational system; and

WHEREAS, the approval of this initiative by Lansing residents was, in part, predicated on the representation that all funds raised, plus any interest earnings, will be devoted solely to the improvement and development of the Lansing Park System; and

WHEREAS, the Lansing City Council is determined to fulfill this promise to Lansing residents,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes policy for the expenditure of these funds as follows:

1. That no funds shall be expended on any park improvement or development project not specifically delineated in the Parks and Recreation 1990-1994 Plan without prior authorization by the City Council.

2. That all projects scheduled for implementation in any given fiscal year shall be presented to, and approved by, the City Council during the annual budget review process.

3. That a separate series of budgetary accounts shall be established for the purpose of administering these funds.

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4. That all interest accruing to any unexpended funds shall be designated and appropriated to a control account established for the purpose of accounting for all General Fund Park Millage revenues received but not allocated to a specific project by the City Council.

5. With the singular and sole exception of Council authorized design and construction managment fees directly relating to the implementation of previously referenced park development and improvement projects, these funds shall not be utilized for any type or kind of indirect cost, administrative charge, direct or indirect personnel, operating, or equipment costs.

6. That the annual General Fund budget allocation for the Parks and Recreation Department shall not be less than 11.9% of all General Fund Estimated Revenues during the duration of this millage, and that these funds shall not be utilized to supplement or supplant funding for any existing or scheduled Parks and Recreation program, activity, or event.

7. That the Internal Auditor is directed to audit this resolution yearly, and to report back to the City Council during the budget review process.

By Councilmember Benavides:

Carried unanimously.

Resolution #519
BY COMMITTEE ON WAYS AND MEANS 9/20/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-91

That the following transfer be approved:

$1,250.00 from Reserve for Contingency—
Bgt. Ctrl. Acct. A/C 101-173901-992200-00000
1,250.00 to City Council & Internal Audit—
Bgt. Ctrl. Acct. A/C 101 112101-992200-00000
(Establish new expense account for Councilman Canady. (Acct#101-112101-741211-0)

The Balance in the Reserve for Contingency Fund after this transfer is $289,815.00

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously.

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Christine Vangildner filed a claim against the City for $149.72; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Ms. Vangildner appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence to prove her claim; and

WHEREAS, based on Ms. Vangildner's testimony and evidence, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Christine Vangildner in the amount of $149.72; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

Resolution pulled and returned to Committee

Resolution #520
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to construct the River Trail from Burchard Park to the Turner/Dodge Mansion; and

WHEREAS, an easement is required across the property at 201 East Grand River; and

WHEREAS, Joseph R. Roberts, Jr., the owner, has agreed to grant the easement for a dollar:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes receipt of the easement in a form approved by the City Attorney.

By Councilmember Canady:

Carried unanimously.

Resolution #521
PUBLIC IMPROVEMENT I

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing that it is hereby determined to be of a public necessity to construct a sanitary sewer to serve properties on the south side of Michigan Avenue from Stoner to 3707 West Michigan Avenue.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and that the City's share from account #590-453670-973000-20100. The improvements are ordered in agreement with the Landel Metropolitan Sewer Agreement of 1955.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to acquire the necessary permanent easements and to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Canady:

Carried unanimously.

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Resolution #522
Resolved by the City Council of the City of Lansing:

WHEREAS, Wolverine Development Corporation, Lansing Gardens, Merritt Press, Inc. and Ganton Retirement Centers have petitioned City Council for extended payments for their special assessments; and,

WHEREAS, Section 1026.07(b) of the Lansing Code of Ordinances permits City Council to grant an extension of time for payment of special assessments by any taxpayer;

NOW THEREFORE, BE IT RESOLVED that pursuant to Section 1026.07(b) of the Lansing Code of Ordinances:

a) Wolverine Development Corporation shall have a maximum of seven (7) years to pay their special assessment for curb and gutter in the amount of $19,044.19, plus interest;

b) Lansing Gardens shall have a maximum of twelve (12) years to pay their special assessment for curb and gutter in the amount of $37,917.33, plus interest;

c) Merritt Press, Inc. shall have a maximum of three (3) years to pay their curb and gutter special assessment in the amount of $6,378.38, plus interest;

d) Ganton Retirement Centers shall have a maximum of twelve (12) years to pay their sidewalk special assessment in the amount of $12,946.90, plus interest.

NOW THEREFORE, BE IT FURTHER RESOLVED that the City Attorney prepare the appropriate documents for execution by the above-named parties.

By Councilmember Schmidt:

That this resolution be amended by adding the following:

"e) Hausman Steel Corporation shall have a maximum of twelve (12) years to pay their curb & gutter, storm & sanitary sewer special assessment in the amount of $40,562.30, plus interest."

Carried unanimously.

By Councilmember Canady:

That the amended resolution be adopted.

Carried unanimously.

COMMITTEE ON PHYSICAL DEVELOPMENT Sept. 18, 1990

MDOT GRANT
RESOLUTION OF SUPPORT

WHEREAS the City of Lansing has initiated the development of the Diamond Reo site located between South Washington Avenue and South Cedar Street just north of Baker Street entirely within the City of Lansing; and

WHEREAS the City has already invested a substantial amount of time and money in the site by making improvements to infrastructure in the area, providing for a clean up of the site and preparing it for development, and

WHEREAS Troy Design, Inc. has committed to locate their office, engineering and manufacturing center to the Diamond Reo property to accommodate their growth and expansion needs; and

WHEREAS the City desires to provide direct access to the site chosen by Troy Design, Inc. for their manufacturing facility by constructing a public street and cul-de-sac between Baker Street and the manufacturing facility site; and

WHEREAS the City desires to apply for funds made available through the Michigan Transportation Economic Development Fund to help finance construction of the new public street; and

WHEREAS the City has the ability to provide the required twenty-five percent matching funds to acquire the grant, complete the construction of the access street and maintain the street,

NOW THEREFORE BE IT RESOLVED that the City of Lansing hereby formally supports development of a part of the Diamond Reo site for the office, engineering and manufacturing facility of Troy Design, Inc., and is committed to constructing a private street with cul-de-sac between Baker Street and the interior of the property as the primary access to the manufacturing facility site.

By Councilmember Benavides:

To pull this resolution and refer it to the Committee on Ways and Means and to call a Special Council meeting for Thursday, September 27, 1990, at 2:00 P.M. to handle this resolution.

Carried unanimously.

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Lindemann:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Section 1424.01 of Chapter 1424 of Part Fourteen of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of adopting the 1990 Edition of the National Electrical Code be placed on order of immediate passage.

BY COUNCILMEMBER Lindemann:

That this be considered as being read in its entirety.

Carried unanimously.

BY COUNCILMEMBER Lindemann:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Section 1424.01 of Chapter 1424 of Part Fourteen of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of adopting the 1990 Edition of the National Electrical Code be now passed.

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

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By Councilmember Adado:

That this Ordinance be given immediate effect.

Carried unanimously.

ORDINANCE NO. 824
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTION 1424.01 OF CHAPTER 1424 OF PART FOURTEEN, OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN FOR THE PURPOSE OF ADOPTING THE 1990 EDITION OF THE NATIONAL ELECTRICAL CODE.

The City of Lansing ordains:

Section 1. That Section 1424.01 of Chapter 1424 of Part Fourteen of the Codified Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

(a) That certain code, an official copy of which is on file in the office of the City Clerk, being marked and designated as the National Electrical Code, 1990 Edition, published by the National Fire Protection Association, is hereby adopted and made part of the Building Code of the City, pursuant to the authority vested in the City by M.C.L.A. 125.1508; M.S.A. 5.2949(8), and the Home Rule Act, (M.C.L.A. 117.1 et seq.; M.S.A. 5.2071 et seq.), as amended. Such Electrical Code provides regulations for the erection, installation, alteration, repair, relocation, replacement, addition to, use and maintenance of electrical systems. Each and all of the regulations, provisions, penalties, conditions and terms of such National Electrical Code shall be deemed adopted and made a part hereof by reference as if fully set out in this chapter, save and except such provisions as may be hereinafter amended or repealed.

(b) References throughout these Codified Ordinances to the National Electrical Code shall be deemed to mean the National Electrical Code adopted in subsection (a) hereof and it may be so cited. References throughout these Codified Ordinances to the Electrical Code of the City shall be deemed to mean this chapter, including the National Electrical Code adopted in this chapter, and it may be so cited. References throughout these Codified Ordinances to the Building Code of the City shall be deemed to mean all of the provisions of Titles Two and Four of Part Fourteen of these Codified Ordinances, including the technical codes adopted therein by reference, and it may be so cited. References throughout these Codified Ordinances to the Building and Housing Code of the City shall be deemed to mean all of Part Fourteen of these Codified Ordinances and it may be so cited.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the National Electrical Code, herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the National Electrical Code, herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the National Electrical Code, herein adopted, and a provision of any other standard technical code adopted by reference by the City, the stricter or higher standard shall control.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect.

BY COUNCILMEMBER Canady:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-18-90—233/235 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

That this be considered as being read in its entirety.

Carried unanimously.

BY COUNCILMEMBER Canady:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-18-90—233/235 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District be now passed.

YEAS: Adado, Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2322
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-18-90, 233/235 North Pine Street
Parcel Number: 3301-16-156-081

Legal Description: The north 44 feet of the east 77 feet of Lot 1, Block 91, Original Plat, City of Lansing, Ingham County, Michigan

From "DM-4" Residential District to "D-2" Residential/Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

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BY COUNCILMEMBER Canady:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-19-90—229 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

That this be considered as being read in its entirety.

Carried unanimously.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-19-90—229 North Pine Street to be rezoned from "DM-4" Residential District to "D-2" Residential/Office District be now passed.

YEAS: Canady, Adado, Belen, Benavides, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2323
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-19-90, 229 North Pine Street
Parcel Number: 3301-16-156-071

Legal Description: The south 22 feet of the east 77 feet of Lot 1 and the north 22 feet of the east 77 feet of Lot 2, Block 91, Original Plat, City of Lansing, Ingham County, Michigan

From "DM-4" Residential District to "D-2" Residential/Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

1/ Interim Financial Report for 1990

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Adoption Agreement for the Alternative Retirement System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Request for Waiver of Fees Received from Betty Pond, Volunteer for the Lansing Hmong People

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ To move Special Ceremonies ahead of Public Hearings on tonight's Agenda

(Action taken)

5/ An additional Special Ceremony Honoring Lansing Area Sports Teams

(Action Taken)

PUBLIC MAY COMMENT

Frank X of 1137 W. Allegan read writings from his grandmother.

Harold Leeman of 529 North Francis requested an update on the construction in the area of North Francis which is causing many trucks to be in the 500 block. Bob Clegg of Public Service answered Mr. Leeman's questions.

John Jones of 429 Dorrance wished to thank the Mayor's Office for the temporary order for a stop sign in his neighborhood and said that he hopes the resolution for this traffic order is adopted.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane had no comments.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann requested the administration check into speeding in the area of Clemons and Elizabeth Street.

Councilmember Schmidt announced that Jolly Road construction is now completed and Jolly Road is open to traffic.

Councilmember Crawford stated that he attended the police awards ceremony which was very rewarding.

Councilmember Adado stated that the Special Council meeting approved for Thursday, September 27, 1990, can be held in the 10th floor City Hall Committee Room.

Councilmember Benavides stated that he is concerned with trucks using the shoulder in the Waverly Road area. He was informed that this is not under City of Lansing jurisdiction.

Council President Belen stated that the Michigan Florist's Association has booked the Lansing Center for the next five years.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 9:20 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings of Special Meeting, September 27, 1990

Lansing City Council Committee Room
10th Floor City Hall, Lansing, Michigan
September 27, 1990

The City Council of the City of Lansing met in special session and was called to order by Acting President Benavides.

PRESENT: Councilmembers Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

ABSENT: Councilmembers Adado and Belen

PUBLIC COMMENTS

There were no Public Comments.

RESOLUTIONS

Councilmember Benavides stated that the resolution up for adoption at this session is different from the one on the same topic on the agenda for September 24, 1990, in three respects:

1. In the last paragraph, the word private in "constructing a private street.." has been replaced with public

2. In the last paragraph, the word the in "and the interior of the property as the primary access.." has been replaced with the word a

3. The date of the resolution has been changed to September 27, 1990

Councilmember Ford stated for the record that he is an employee of the Michigan, Department of Transportation and wished the City Attorney s Office to rule if it was appropriate for him to vote on this resolution. Mel McWilliams of the City Attorney's Office stated that he did not feel there would be any conflict with Councilmember Ford voting on this resolution.

Resolution #523
COMMITTEE ON WAYS AND MEANS September 27, 1990
MDOT GRANT
RESOLUTION OF SUPPORT

WHEREAS the City of Lansing has initiated the development of the Diamond Reo site located between South Washington Avenue and South Cedar Street just north of Baker Street entirely within the City of Lansing; and

WHEREAS the City has already invested a substantial amount of time and money in the site by making improvements to infrastructure in the area, providing for a clean up of the site and preparing it for development, and

WHEREAS Troy Design, Inc. has committed to locate their office, engineering and manufacturing center to the Diamond Reo property to accommodate their growth and expansion needs; and

WHEREAS the City desires to provide direct access to the site chosen by Troy Design, Inc. for their manufacturing facility by constructing a public street and cul-de-sac between Baker Street and the manufacturing facility site; and

WHEREAS the City desires to apply for funds made available through the Michigan Transportation Economic Development Fund to help finance construction of the new public street; and

WHEREAS the City has the ability to provide the required twenty-five percent matching funds to acquire the grant, complete the construction of the access street and maintain the street,

NOW THEREFORE BE IT RESOLVED that the City of Lansing hereby formally supports development of a part of the Diamond Reo site for the office, engineering and manufacturing facility of Troy Design, Inc., and is committed to constructing a public street with cul-de-sac between Baker Street and the interior of the property as a primary access to the manufacturing facility site.

By Councilmember Lindemann:

Carried unanimously

BY ACTING PRESIDENT BENAVIDES:

Meeting adjourned at 2:20 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, October 1, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
October 1, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmembers Adado and Lindemann

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

CONSIDERATION OF LATE ITEMS

By Councilmember Canady:

To accept the following under suspension of the rules:

1/ Letter from Marvin Gladstone of 414 East Michigan Avenue Protesting Sidewalk Assessment

2/ Resolution changing the Date of the November 12, 1990 Council meeting to November 13, 1990, due to Veteran's Day Holiday

Carried unanimously; Councilmembers Adado and Lindemann absent.

PUBLIC HEARINGS

1. Z-13-90 Rezoning of 3405 North East Street from "A" Residential District to "G-2" Wholesale District

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Z-14-90 Rezoning of 3818 South Cedar Street from "A" Residential District to "F" Commercial District

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Z-10-90B Rezoning of Vacant Lot Adjacent to and West of 1020 East Saginaw Street from "D-1" Professional Office District to "F" Commercial District

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Mr. Tindale wished to thank members of City Council and the Mayor for their support of tonight's resolution for traffic control on Dorrance Place.

SPECIAL CEREMONIES

John Baron wished to extend his thanks to Councilmembers and the Administration for placing Proposal I on the August Primary Ballot and for their support of additional funding for the Potter Park Zoo.

Carol Webster introduced Anil Agerwall of Xerox Corporation and thanked him for Xerox's donation of $2,000.00 to the Zoological Society. She also introduced Attorney Robert Stocker who donated $5,000.00 to the Zoological Society.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Z-24-90 Rezoning of 1210 W. Ionia from "B" Residential to "C" Residential

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter from the PS Partnership requesting reinstatement of Tentative Preliminary Plat Approval for Proposed Contec Industrial Subdivision Commission #8673

REFERRED TO THE MAYOR

C. Letter from the Ingham County Clerk providing Copy of Resolution Appointing Members to the Ingham County/ Lansing Community Corrections Committee

RECEIVED AND PLACED ON FILE

D. Letter from Rita Perez of 1923 New York Avenue Appealing Denial of Special Assessment

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

E. Letter from All State Realty Group requesting Extension of Time Period to Repay Special Assessment Roll No. B-50

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

F. Notices received from the Department of Natural Resources regarding:

-An Application for a Permit to Construct a 66 x 99, Addition to an Existing Building in the Floodplain/ Floodway of the Grand River

-A Permit issued to Sparrow Hospital for Revisions to Building and

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Parking

REFERRED TO THE MAYOR

G. Letter from MDA thanking City for Use of Ranney Park for their Softball Tournament Fundraiser

RECEIVED AND PLACED ON FILE

H. Letter from Pete Nelson filing a Complaint of an Alleged Human Rights Violation

REFERRED TO THE CITY ATTORNEY

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed his letter #C1 from Allan Tubbs which detailed sites that were acceptable as recycling depots. The recommendation has been narrowed to three sites and research into these areas will go forward. The Mayor also briefly reviewed other letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:
Resolution #524
October 1, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: David R. May, Nicholas J. Mott, Christopher Peterson

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendations of the City Clerk.

Carried unanimously; Councilmembers Adado and Lindemann absent

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 27, 1990 For Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

Recycling Site

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE AD HOC COMMITTEE ON RECYCLING

2. Speed Survey of Thomas and Gary Streets

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. 3608 Berwick

RECEIVED AND PLACED ON FILE

4. Parking: Verlinden Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. No Parking: Conrad Avenue and Richwood Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. No Parking: 1800 and 1900 Blocks of Thompson Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. No Parking: River Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. No Parking: Kalamazoo Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Traffic Control: Strathmore Avenue & Wayburn Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10. Traffic Control: Southgate Avenue & Vernon Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11. Traffic Control: Clippert Street & Fairway Lane

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Traffic Control: Creston Avenue & Fairfield Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Traffic Control: Creston Avenue & Howe Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. Traffic Control: Holmes Road & Ruth Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

15. School Bus Loading Zone

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

16. Intersection of Dr. Martin Luther King, Jr. Blvd./ Logan Street and Kalamazoo Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

17. FY-92 Budget Policies and Priorities

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

18. Barricade Report

RECEIVED AND PLACED ON FILE

19. Fast Trak Shuttle Lot Usage Update

RECEIVED AND PLACED ON FILE

20. Nathan Pitchford—725 Maryland (B9065628-CM)

RECEIVED AND PLACED ON FILE

21. Recommended Ordinance Change of the Position of Police Chief

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

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22. ACT-21-90—North East Street Right-of-Way, Michigan Avenue to Shiawassee Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

23. ACT-27-90—Northwest Corner Holmes at Pleasant Grove Road—Alley Vacation

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

24. SLU-11-90—3400 Block of North Turner Street—Proposed Church

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

25. Z-15 90—2535 East Mt. Hope

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

26. Change in Planning Board Meeting Location for October 2, 1990 and October 16, 1990

RECEIVED AND PLACED ON FILE

27. Amendments to Planning and Zoning Code

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

28. ACT-16 90—401 Jones

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

29. SLU-10-90—Vacant Lot Just North of 217 North Sycamore Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #525
BY THE WAYS AND MEANS COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has authorized the adoption of an alternative retirement system for certain full-time exempt employees (including appointed employees), full and part-time elective officials, and employees covered by the Executive (Management) Plan;

WHEREAS, the implementation date for said alternative retirement system is October 1, 1990;

WHEREAS, the City has solicited proposals for the provision of a tax qualified money purchase retirement plan and the related trust, record keeping, and investment services; and

WHEREAS, the City has selected Manufacturers Bank of Detroit to provide said services;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be authorized to execute the adoption agreement with the elections as recommended by the Mayor and Finance Director.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #526
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 89-90 accounts be carried forward into FY 90-91 department and project accounts, as established, in the amounts indicated not to exceed a maximum of the available unencumbered balance at June 30, 1990:

CITY COUNCIL
Memo Acct. No. 101-112101-743000-00000 Prof. Serv.
Ctrl. Acct. 101-112101-992200-00000 Unen. Bal.

Memo Acct. No. 101-112101-746300-00000 Proj. Maint.
Ctrl. Acct. 101-112101-992200-00000 Unen. Bal.

ADMINISTRATIVE SERVICES
Memo Acct. No. 101-173140-746400-00000 Unsched. Maint.
Ctrl. Acct. 101-173101-992200-00000 $4,407

FROM: **Fire**
Memo Acct. No. 101-343501-744000-00000 Admin.-Util.
Ctrl. Acct. 101-343501-992200-00000 $200

Memo Acct. No. 101-343510-702000-00000 Maint.-Sal.
Ctrl. Acct. 101-343501-992200-00000 $10,300
Memo Acct. No. 101-343510-977000-00000 Maint.-Equip.
Ctrl. Acct. 101-343501-992200-00000 $8,425
Memo Acct. No. 101-343520-717500-00000 Sup.-Food Allow. Ctrl.
Acct. 101-343501-992200-00000 $6,175
Memo Acct. No. 101-343580-746000-00000 Emr. Ser./Rep./Mnt.
Ctrl. Acct. 101-343501-992200-00000 $900

TO: **ADMINISTRATIVE SERVICES**
Memo Acct. No. 101-173140-746300-00000 Proj. Maint.
Ctrl. Acct. 101-173101-992200-0000 $25,100

TO: **Fire**
Memo Acct. No. 101-343580-746000-00000 Emr. Ser./Rep./Mnt.
Ctrl. Acct. 101-343501-992200-00000 $900

PARKS AND RECREATION
Memo Acct. No. 101-783820-977000-00000 Fd. Ser.-Equip.
Ctrl. Acct. 101-783860-992200-00000 $15,054

PUBLIC SERVICE—Parking
Memo Acct. No. 585-453644-746100-00000 Gar. #1/Bdg. Main.
Ctrl. Acct. 585-453642-992200-00000 $22,000

Memo Acct. No. 585-453645-746100-00000 Gar. #2-Bdg. Main.
Ctrl. Acct. 585-453642-992200-00000 Unen. Bal.

Memo Acct. No. 585-453646-746100-00000 Gar. #3/Bdg. Main.
Ctrl. Acct. 585-453642-992200-00000 Unen. Bal.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution # 527
By Committee on Ways and Means

Resolved by the City Council of the City of Lansing:

Whereas, the outstanding encumbrances at June 30, 1990 are

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legally binding purchase commitments for goods and services that could not be delivered by June 30th,

Whereas, the subsequent payment of these encumbrances when the goods and services are delivered should properly be charged to the original FY 90 budget where they were appropriated and ordered,

Now, Therefore, Be it Resolved that sufficient funds be carried forward for the payment of the outstanding encumbrances indicated in the attached report.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #528
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of John Truscott to the Human Relations Board for a term to expire June, 1994, is hereby confirmed.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #529
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of David Boles to the Human Resources Advisory Board for a term to expire June, 1991, is hereby confirmed.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #530
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Connie Conklin to the Board of Fire Commissioners for a term to expire June, 1994, is hereby confirmed.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #531
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, City employee Christine Van Gilder filed a claim against the City for $149.72 as reimbursement for personal articles stolen from her work station; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, Ms. Van Gilder appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence to support her claim, establishing that another employee unlocked her desk to find a work-related item, but did not relock the desk, making the claimant's personal articles vulnerable to theft; and

WHEREAS, the Committee learned that the second employee was not suspected of the theft, but was nevertheless given a verbal reprimand and counseling for not relocking the desk; and

WHEREAS, based on Ms. Van Gilder's testimony and evidence, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Christine Van Gilder in the amount of $149.72; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

YEAS: Canady, Schmidt

NAYS: Belen, Benavides, Crawford, Ford

ABSENT: Adado, Lindemann

Resolution failed to pass.

Resolution #532
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 422 Liberty, legally described as:

3301 09 279 111
Lot 9, Block 5, Original Plat

was an unsafe or danger us building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 23, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council soheduled a hearing on September 24, 1990, to review the findings and order of the Hearing officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby

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directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution October 1, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers, order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #533
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 226 S. Hosmer (garage only), legally described as:

3301 15 302 191
E. ½ of S ⅜ Lot 10 & N 20.25 ft of E ½ Lot 11, Block 6, Green Oak Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 23, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 24, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within fifty (50) days from the date of this resolution October 1, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respeots as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #534
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 909 W. Kalamazoo, legally described as:

3301 32 352 091
Lot 73, Pleasant Grove Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing officers on August 23, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 24, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution Ootober 1, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to

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substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #535
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2113 Marcus, legally described as:

3301 14 353 121
W 54 ft Lot 288, Leslie Park Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing officers on August 23, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 24, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution October 1, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #536
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 4917 Starr Avenue, legally described as:

3301 32 352 091
Lot 73, Pleasant Grove Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the hearing Officers on August 23, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 24, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution October 1, 1990: and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

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BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #537
September 27, 1990

SLU-4-90
609/611/615 South Grand Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 22, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School District Administration Board Room, for the purpose of approving and/or opposing the proposed Special Land Use for property at 609, 611, and 615 South Grand Avenue to allow the development of a surface off street parking lot for approximately eighteen (18) vehicles.

By Councilmember Canady:

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Benavides, Crawford, Ford, Canady, Schmidt

NAYS: None

ABSENT: Councilmembers Adado and Lindemann

Resolution #538
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-083 which authorizes the permanent installation of the multi-way stop currently in place at the intersection of Dorrance Place and Genessee Street under the authority of Temporary Traffic Control Order Number 90-073T.

Be It Finally Resolved the Council requests installation of traffic signs warning drivers of children playing in this area.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Lindemann absent

ORDINANCES FOR INTRODUCTION

A. By the Committee on Public Safety:

INTRODUCTION OF ORDINANCE

MANDATORY MINIMUM SENTENCING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider an amendment providing that Chapter 6 of the Code of Ordinances of the City of Lansing, Michigan, be amended by adding a new section 664.06 for the purpose of providing that the frequenting of a place where the maintaining or storing, buying, selling, giving away, trading or using of illegal controlled substances is illegal and providing for mandatory minimum sentences if convicted.

By Councilmember Crawford

Resolution #539
RESOLUTION SETTING PUBLIC HEARING

PUBLIC NUISANCE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 22, 1990 at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering an amendment providing that Chapter 6 of the Code of Ordinances of the City of Lansing, Michigan, be amended by adding a new section 664.06 for the purpose of providing for mandatory minimum sentences if convicted of frequenting a place where the maintaining or storing, buying, selling giving away, trading or using of illegal controlled substances occurs.

By Councilmember Crawford

Carried unanimously; Councilmembers Adado and Lindemann absent

Resolution #540
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT due to Veteran's Day holiday, the regular City Council meeting for the week of November 12, 1990, will be held on Tuesday, November 13, 1990.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Lindemann absent

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Letter from Marvin Gladstone of 414 East Michigan Avenue Protesting Sidewalk Assessment

REFERRED TO THE MAYOR

2/ Resolution changing the Date of the November 12, 90 Council meeting to November 13, 1990, due to Veteran's Day Holiday

(Handled as Resolution # 540)

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

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That Councilmembers Adado and Lindemann be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Clara Wahl of 4600 South Pennsylvania distributed flyers on the Walk for Understanding Epilepsy which will take place on October 7, 1990, and encouraged all to support this event.

Frank Curtis of 1137 W. Allegan stated that he worked for Councilmember Ford's election but that he does not feel Mr. Ford is properly representing him.

Beryl M. Shook of 226 S. Hosmer spoke regarding the public nuisance fee she was assessed.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that the barricades will be removed in the Vivian Riddle area on October 2, 1990, and in the Baker/Bailey area on October 8, 1990, per Council resolution.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides requested the administration check out 1619 Bailey regarding an incident that took place there on September 28, 1990, at approximately 10:30 P.M.

Councilmember Schmidt asked the administration to check into tall grass on the South Pennsylvania median strip and on the exit from I-496 onto South Pennsylvania. The Mayor responded that some of this might be State-owned but that he would check into this.

Resolution #541
By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to set a Public Hearing for October 22, 1990, regarding an ordinance change in the requirements for Chief of Police.

Carried unanimously; Councilmembers Adado and Lindemann absent

Councilmember Canady mentioned that there will be a rededication and ground-breaking for the New Jerusalem Church on Sunday at 4:00 P.M. and invited all to attend.

All present then joined in singing Happy Birthday to Lisa Farrell of Channel 6 News.

City Clerk James D. Blair reminded viewers that Tuesday, October 9th, is the last day to register to vote for the November 6, 1990, Gubernatorial Election. The City Clerk's Office will remain open until 8:00 P.M. on the 9th to accept registrations.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:15 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, October 8, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
October 8, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann and Schmidt

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were given by Councilmember Schmidt.

By Councilmember Schmidt:

To accept the printed Council proceedings for September 5 and September 10, 1990

Carried unanimously; Councilmember Adado absent

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt:

To accept the following under suspension of the rules:

1/ Letter from Cedarway Free Methodist Church requesting Extension of Time Period for Payment of Special Assessment

2/ Letter from Esther Petersen of 4317 S. Cedar Street regarding an Assessment

3/ Resolution Accepting Federal Grant Funds for a Drug Apprehension and Forfeiture Program

4/ Resolution Accepting Federal Grant Funds for a Street Level Narcotics Enforcement Program

Carried unanimously; Councilmember Adado absent.

PUBLIC HEARINGS

1. Request for Establishment of an Industrial Development District received from The P.S. Partnership, Contec Center, Jolly Road

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

2. SLU-8-90—1015/1017 North Cedar Street to Utilize the property as a Storage Yard for Recyclable Materials

Thomas Strang of 426 Adams asked a question about where the entrance and exit would be for this property. Mr. Foulds responded and stated that the Board is not recommending approval of this Special Land Use.

Councilmember Canady stated that the Committee on Physical Development will be taking up this matter at its 3:00 P.M. meeting on October 11, 1990.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Gary Andrews of 560 Brookland Blvd. wished to thank Councilmembers for exempting artists and art from the proposed sign code ordinance.

John Assiff of 805 Clyde, Past President of Chapter 63 of the AARP, submitted a petition signed by 171 senior citizens requesting that the Civic Arena not be sold.

Paul Davis of 241 Rampart Way, East Lansing, also spoke in support of the petition signed by senior citizens.

Elliot Glicksman of 1825 Vassar stated that he has some concerns with the proposed sign code ordinance.

SPECIAL CEREMONIES

A resolution of tribute was presented to Lance Rian Lynch by Council President Belen.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Letter from Makzum Hassouna of 10070 Pollard Road, Haslett appealing Denial of Claim

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane, reviewed letters D1, D2, D3, D4, D5, D1O, D11 and D12 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #542
October 8, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

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Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Nathaniel Whitt, Jr., Nicholas J. Hott, Herbert Everet Harrington, Richard Eric Crosby, Jeffrey Patrick O'Connell, Charles Junior Lloyd
TRANSFER SDM LIQUOR: Lavorn Staton

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Clerk.

Carried unanimously; Councilmember Adado absent

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 1, 1990 For Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney's Office regarding Striking Certain Personal Property Taxes from the Tax Rolls

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Mayor's Recommendation regarding Development Site B/1 (Parking Lot Located on Block Bounded by North Capitol, West Ionia, North Seymour and West Shiawassee)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Mayor's Recommendation Regarding Sale of Civic Arena

Councilmember Lindemann stated that he hoped the City could possibly salvage some of the polished marble when the Civic Arena is demolished. Councilmember Schmidt stated that she hoped the City could salvage some of the kitchen equipment used by the senior citizens and possibly the air conditioning system.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Establishment of a Transition Team to Facilitate Organizations Currently Housed at the Lansing Civic Arena

REFERRED TO THE COUNCIL PRESIDENT

4. Acceptance of Grant for Tri-County Metro Narcotics Squad

Resolution #543
BY THE COMMITTEE ON WAYS AND MEANS RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for Drug Apprehension and Forfeiture Programs in the Spring of 1990; and

WHEREAS, the City, as the grantee, submitted an application for apprehension and forfeiture grant funds for the Tri-County Metro Narcotics Squad; and

WHEREAS, recently, the City has been advised that a grant in the total amount of $301,726.00 (Federal Share $193,331.00, Local Match $108,395.00) has been approved; and

WHEREAS, the matching funds have been reserved in the Squad's asset and seizure account and these funds will be utilized for the match of $87,904.00, Michigan State Police funds will be utilized for the match of $20,491.00, and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of Federal Grant Funds in the amount of $301,726.00 for a Drug Apprehension and Forfeiture Program.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

5. Acceptance of Grant for R.E.A.C.H. Program

Resolution #544
BY THE COMMITTEE ON WAYS AND MEANS RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for Street Level Drug Apprehension in the Spring of 1990; and

WHEREAS, the City, as the grantee, submitted an application for Street Level Enforcement grant funds for the Lansing Police Department's R.E.A.C.H. Team, and

WHEREAS, recently, the City has been advised that a grant in the total amount of $139,126.00 (Federal Share $100,000.00, Local Match $39,126.00) has been approved; and

WHEREAS, the matching funds have been reserved in the R.E.A.C.H. asset and seizure account and that these funds will be utilized for the match of $39,126.00, and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approve acceptance of Federal Grant Funds in the amount of $139,126.00 for a Street Level Narcotics Enforcement Program.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

6. Barricade Report

RECEIVED AND PLACED ON FILE

7. ACT-26-90; Washtenaw and Sycamore Streets

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Industrial Development District Review IPR-7-90 (Contec Center)

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

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9. Easement for Road Turnaround at the West End of Dell Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10.

Resolution #546
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: October 2, 1990
SUBJ: Trash Violation Fee (V-21)—$874.55

The attached assessments for removal of trash and debris in the right-of-way are submitted with my concurrence for your review and appropriate action.

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously; Councilmember Adado absent

11. Speed Survey at Thomas and Gary Streets

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Halloween Safety Training for Lansing Area Students

RECEIVED AND PLACED ON FILE

13. Report Regarding 1619 Bailey

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

THE COMMITTEE ON Physical Development

TO WHOM WAS REFERRED the petition for the installation of storm sewers on Mildred Avenue from Downey Street to Marquette Street

REPORTS AS FOLLOWS: The Public Service Department has determined that only 20 percent of the property owners with frontage on Mildred Avenue have signed the petition. In order to be valid, the petition must represent 51 percent of the property owners. The Committee, therefore, recommends denial of this request based on an inadequate number of petitioners.

BY COUNCILMEMBER MARK CANADY

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

October 5, 1990
THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-10-90A; 1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District.

Reports as follows: That said zoning be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

Committee on Physical Development

By Councilmember Canady:

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

October 5, 1990
THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-10-90B; vacant lot adjacent to 1020 East Saginaw Street to be rezoned from "D-1" Professional Office District to "F" Commercial District.

Reports as follows: That said zoning be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

Committee on Physical Development

By Councilmember Canady:

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

October 5, 1990
THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-13-90, 3405 North East Street to be rezoned from "A" Residential District to "G-2" Wholesale District.

Reports as follows: That said zoning be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

Committee on Physical Development

By Councilmember Canady:

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

October 5, 1990
THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-14-90, 3818 South Cedar Street to be rezoned from "A" Residential and "J" Parking Districts to "F" Commercial District.

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Reports as follows: That said zoning be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

Committee on Physical Development

By Councilmember Canady:

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the issue of amending Chapter 1440 of the Lansing Code of Ordinances for the purpose of revising the Sign Code Ordinance,

REPORTS AS FOLLOWS: The Committee recommends adoption of the ordinance.

By Councilmember Canady:

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

The Public Safety Committee

To whom was referred the Mayor's report on a petition request to install a stop sign on Shubel Avenue at Lindberg Drive reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request for a stop sign to be installed on shubel Avenue at Lindberg Drive be denied. The committee has reviewed the report from the administration and concurs that the request to install a stop sign on Shubel Avenue at Lindberg Drive be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

RESOLUTIONS

Resolution #547
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:
October 4, 1990

SLU-11-90

3400 Turner Street

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 29, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School Administration Building, for the purpose of approving and/or opposing the proposed Special Land Use permit, SLU-11-90, by the Church of God Chapel on property located in the 3400 Block of Turner Street.

By Councilmember Canady:

ADOPTED BY THE FOLLOWING VOTE:

Yeas: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

Resolution #548
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:
October 4, 1990

SLU-10-90
Vacant Lot just north of 217 North Sycamore Street

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 29, 1990 at 7 p.m. at 519 West Kalamazoo Street, Lansing School Administration Building, for the purpose of approving and/or opposing the proposed Special Land Use permit, SLU-10-90, by Larry McDermott representing Booth Newspapers, Incorporated, on property located on the vacant lot just north of 217 North Sycamore Street.

By Councilmember Canady:

ADOPTED BY THE FOLLOWING VOTE:

Yeas: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

Resolution #549
COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, the City of Lansing is committed to preserving and improving its neighborhoods; and

Whereas, the Green Oaks neighborhood is a neighborhood wherein the City is investing resources to encourage rehabilitation and improvement; and

Whereas, the structure located at 208 Hill Street is a blighting influence on the Green Oaks neighborhood; and

Whereas, the City administration has recommended the acquisition and demolition of this vacant property; and

Whereas, the Council Committee on Physical Development concurs in the recommendation of the City administration;

Now, Therefore Be It Resolved the the City Council of the City of Lansing that the City administration be and is hereby authorized to acquire the property located at 208 Hill Street, legally described as

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Lot 7 and commencing at the Northwest corner of Lot 7, thence West 12.5 feet, thence South 33 feet, thence East 12.5 feet thence North 33 feet to the point of beginning, A.0. Bement's Subdivision as recorded in Liber 2 Page 27 of Ingham County Records, City of Lansing, Ingham County, Michigan, and to subsequently demolish the structure located thereon; and

Be It Further Resolved that the costs of acquisition and demolition authorized herein shall be charged to the Community Development Block Grant program; and

Be It Finally Resolved that the City administration, subsequent to the completion of the acquisition and demolition activities authorized herein, be and is hereby authorized to split the cleared land and to sell it to the adjacent property owners at a price of one ($1.00) dollar per front foot, plus closing costs.

8y Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #550
Act-16-90
401 Jones Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS Mr. and Mrs. Mapes of 401 Jones Street have requested the City's permission to place a four foot (4') chain link fence in the Kalamazoo Street public right-of-way; and

WHEREAS the Planning Board has reviewed the request and has recommended that a portion of the public right-of-way adjacent the subject property could be used by city license and that the use of the right-of-way by the public would not be jeopardized; and

WHEREAS the City Council Committee on Physical Development concurs with the Planning Board's recommendation;

NOW, THEREFORE, BE IT APPROVED that the request to place a four foot (4') high chain link fence in the Kalamazoo Street ROW along 401 Jones Street be approved, subject to the following conditions:

1. The fence remain at least two feet (2') south from the sidewalk.

2. The property owner be responsible for removing the fence and restoring the right-of-way whenever the City declares its need for the ROW land.

3. The Public Service Department issue a license to the Mapes' authorizing this use of ROW as described.

BE IT FINALLY RESOLVED that there are to be no shrub or tree plantings along the north fence line which would obstruct the clear sight distance of motorists on Jones Street at Kalamazoo.

By Councilmember Canady:

To amend resolution by having the final paragraph read "BE IT FINALLY RESOLVED that there are to be no shrubs or tree or flower plantings along the north fence line of any type and that no ornaments or decoration of any type be placed on the fence."

Carried unanimously; Councilmember Adado absent

By Councilmember Canady:

To adopt the amended resolution

Carried unanimously; Councilmember Adado absent

Resolution #551
September 27, 1990

COMMITTEE ON PHYSICAL DEVELOPMENT

Act-21-90
North East Street

WHEREAS the City has determined that a portion of North East Street right-of-way between East Michigan Avenue and East Shiawassee Street is excess to City requirements; and

WHEREAS the North East Street ROW is located within the original plat of Lansing and is more particularly described as:

A parcel of land in the northeast ¼ of Section 16, T4N, R2W, City of Lansing, Ingham County, Michigan; the boundary of said parcel being described as commencing at the east ¼ corner of said Section 16; thence N 00° 02' 00" east along the east line of said Section 16 a distance of 107.75 feet to the point of beginning of this description; thence north 89° 55' 05" west a distance of 41.25 feet; thence north 00° 02' 00" east parellel to the east line of said Section 16 a distance of 1173.60 feet to the southerly line of Shiawassee Street; thence south 89° 55' 05" east along the southerly line of Shiawassee Street a distance of 41.25 feet to a point on the east line of said Section 16; thence south 00° 02 00" west along the east line of said Section 16 a distance of 1173.60 feet to the point of beginning; said parcel containing +/- 1.111 acres; and

WHEREAS the Lansing Planning Board has reviewed this request under the provisions of Act 285 of Michigan Public Acts of 1931 and has recommended the City vacate North East Street as described subject to the City maintaining public access easements for City and other public utilities and an easement for the encroachment of the existing railroad track; and

WHEREAS the Physical Development Committee of City Council has reviewed and concurred with the Planning Board's recommendations;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the vacation of the above described portion of North East Street right-of-way; and

FURTHER BE IT RESOLVED that the vacation be subject to public utility easements for maintaining installation, repair or removal of sewer and utilities and the existing railroad tracks until such time as they are removed.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #552
September 27, 1990

ACT-27-90
NW Corner Holes at Pleasant Grove Road
Alley Vacation

WHEREAS the Lansing Planning Board has conducted a Public Act 285 review of the proposal to vacate a section of a public alley

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located north of Holmes Road between Maloney Street and Pleasant Grove Road; and

WHEREAS the Board has found that the alley serves no public purpose for transportation and is not likely to be used for that purpose in the future; and

WHEREAS the Planning Board recommends that the alley be vacated subject to easements requested by the Lansing Board of Water and Light for maintenance of overhead electrical wires;

NOW, THEREFORE, BE IT RESOLVED that the alley section located north of Holmes Road between Maloney Street and Pleasant Grove Road, described as:

That part of a 16 foot wide alley in Pleasant Grove Subdivision No. 1 on part of the southeast ¼ of Section 30, T4N, R2W, Ingham County, Michigan, now City of Lansing, commencing at the southeast corner of Lot 364 of said plat; thence north to the northeast corner thereof; thence east 16 feet; thence south to the north line of Holmes Road; thence west 16 feet to beginning

is hereby abandoned and vacated, subject to easement rights requested by the Lansing Board of Water and Light; and

BE IT FURTHER RESOLVED that the City Administration be directed to carry out the legal requirements related to vacation of the alley, reservation of easement, transfer of property and recording as required by law.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #553
BY THE COMMITTEE ON PHYSICAL DEVELOMENT
October 5, 1990

227 North Sycamore Street
Pine Lodge

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS Kevin Hogan, Director of Pine Lodge Community Residential Care Center, located at 227 North Sycamore Street, has requested an extension of time beyond the expiration date on the 1988 Special Use Permit pending location to a new site; and

WHEREAS Mr. Hogan has indicated that the search for a new site is well underway but will require an additional period of time to complete negotiations and construction of the facility in another area of the City of Lansing; and

WHEREAS the property at 227 North Sycamore Street carried an approved Special Use Permit which has expired; and

WHEREAS the Physical Development Committee of City Council discussed the extension of the Special Use Permit at their meeting of October 4, 1990 and, in accord with Section 1282.03(b) of the City Code, recommended that the temporary location of Pine Lodge at 227 North Sycamore Street and the requested time extension for twelve months (one year) from October 8, 1990 be approved subject to conditions;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the extension of the Special Use Permit providing for the temporary relocation of Pine Lodge at 227 North Sycamore Street subject to the following conditions:

1. That the temporary location and extension of the Special Use Permit shall be for not more than twelve months (1 year) from October 8, 1990; and

2. That the director of Pine Lodge, or whoever is responsible for the development of the new facility, shall provide City Council and the Planning Division with an update on their progress for the new facility at the end of each ninety (90) day period, commencing on October 8, 1990; and

3. That upon the occurrence of twelve months from October 8, 1990, or upon the completion of the development at their new site, whichever first occurs, the Special Use Permit provided in this resolution shall automatically expire; and

4. That the director of Pine Lodge shall execute a written document expressly acknowledging the terms and conditions set forth in this resolution and the consequences of the applicant's failure to comply with the terms and conditions set forth herein.

By Councilmember Canady:

To amend item 3. to read "That upon the occurrence of 12 months from October 8, 1990."

Carried unanimously; Councilmember Adado absent

By Councilmember Canady:

To adopt the amended resolution

Carried unanimously; Councilmember Adado absent

Resolution #554
BY COUNCILMEMBER LOUIS ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Max Gartley Zemer, a lifelong resident of Lansing, 1959 graduate of Eastern High School, and employee of the Lansing Board of Water and Light for twenty-five years, is widely respected for his dedicated service to the Lansing community; and

WHEREAS, Max's contributions to the Capital Area United Way, Boy Scouts of America, and Maplewood P.T.A. reflect Max's commitment to making Lansing a better community for all residents; and

WHEREAS, notable among Max's many achievements is his service to the City of Lansing as a member of the Lansing Board of Fire Commissioners from July 1982, through June, 1990, including one term as Vice-Chairman and one term as Chairman;

NOW,THEREFORE, BE IT RESOLVED the members of the Lansing City Council, sitting in regular session this 8th day of October, 1990, hereby extend their most heartfelt appreciation to Max G. Zemer for his numerous contributions to the Lansing community; and

BE IT FURTHER RESOLVED all Councilmembers wish Max and his wife Jackie many years of good health and happiness in the warmth of the love of their family and friends.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

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Resolution #555
BY COUNCILMEMBER LOUIS ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lance Rian Lynch, a lifelong resident of Lansing, 1959 graduate of Eastern High School, and partner in the Estes-Leadley Company, is highly regarded for his selfless and devoted service to the Lansing community; and

WHEREAS, Lance's many contributions to the Old Newsboy Association, Boys and Girls Club, Lansing Area Safety Council, Kiwanis Club, and Eastern Alumni Association have touched and improved the lives of literally thousands of Lansing residents; and

WHEREAS, remarkable among Lance's many achievements is his service to the City of Lansing as a member of the Lansing Board of Fire Commissioners from November, 1974, through June, 1990, including two terms as Vice-Chairman and three terms as Chairman; and

NOW, THEREFORE, BE IT RESOLVED the members of the Lansing City Council, sitting in regular session this 8th day of October, 1990, hereby extend their most heartfelt appreciation to Lance R. Lynch for his countless contributions to the Lansing Community; and

BE IT FURTHER RESOLVED all Councilmembers wish Lance and his wife Karol many years of good health and happiness in the warmth of the love of their family and friends.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #556
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-042 which authorizes changing of the existing yield signs on Parkdale Avenue at Shubel Avenue to four-way stop control.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #557
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-043 which authorizes the changing of the existing yield signs on Pershing Avenue at Shubel Avenue to stop signs.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #558
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division has installed no parking zones on Ruth Street and on Holmes Road on a temporary basis and recommends that the zones become permanent; and

WHEREAS, the Traffic Board has recommended that the temporary signs be removed and the request for a permanent no parking zone be denied; and

WHEREAS, the Mayor has reviewed both recommendations and recommends that the temporary no parking zone become permanent;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-092, which authorizes the installation of a no parking zone on Holmes Road and 90-093, which authorizes the installation of a no parking zone on Ruth Street.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #559
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-090, which authorizes the installation of new parking regulations on Kalamazoo Street near the intersection of Martin Luther King Jr. Blvd./Logan Street and 90-091, which authorizes the installation of a left turn regulation for westbound traffic on Kalamazoo Street at the intersection of Martin Luther King Jr. Blvd./Logan Street.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #560
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-074, 90-075, 90-076 and 90-077 which authorize the installation of no stopping, standing or parking 7:00 AM to 4:00 PM school days, bus load only zones in front of Cumberland, Post Oak, Wainwright and Walnut Street elementary schools.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #561
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-063 which authorizes the lengthening of the no parking zone on the north side of Kalamazoo Street at the intersection of Chestnut Street.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #562
BY COUNCILMEMBER CHARLES FORD

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WHEREAS, Halloween is a special occasion for children of all ages, but particularly for the youngest ghosts and goblins in the Lansing community; and

WHEREAS, it is commonly accepted that the earlier evening hours are best suited for trick-or-treating by younger children, while later evening hours unfortunately tend to accommodate less desirable Halloween activities; and

WHEREAS, it is the desire of the Lansing City Council to minimize neighborhood disruptions relating to the activities occurring during later hours;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes the hours of 6:00 p.m. to 7:30 p.m. as the officially sanctioned hours for trick-or-treating in the City of Lansing; and

BE IT FURTHER RESOLVED that all Lansing residents are urged to observe the time-frame hereby established for trick-or-treating.

By Councilmember Ford:

To amend the resolution by changing the hours to 6:00 p.m. to 8:00 p.m.

Carried unanimously; Councilmember Adado absent

By Councilmember Ford:

To adopt the amended resolution

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR INTRODUCTION

Resolution #563
October 4, 1990

By Councilmember Belen:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 5, 1990 at 7 p.m. in Board Room 106, 1st floor of the Lansing School District Administration Building, 519 West Kalamazoo Street, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-15-90—2535 East Mt. Hope Avenue from "A" Residential District to "D-1" Professional Office District.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

INTRODUCTION OF ORDINANCE

AMENDMENTS TO THE PLANNING & ZONING CODE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider amendments to Part 12, Chapters 1240, 1242, 1248, 1250, 1252, 1254, 1256, 1258, 1260, 1262, 1264, 1266, 1268, 1272, 1274, 1276, 1278, 1284, and 1294 of the planning and Zoning Code.

By Councilmember Canady

Resolution #564
RESOLUTION SETTING PUBLIC HEARING

AMENDMENTS TO THE PLANNING & ZONING CODE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 5, 1990 at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering amendments to Part 12, Chapters 1240, 1242, 1248, 1250, 1252, 1254, 1256, 1258, 1260, 1262, 1264, 1266, 1268, 1272, 1274, 1276, 1278, 1284, and 1294 of the Planning and Zoning Code.

By Councilmember Canady

Carried unanimously; Councilmember Adado absent

By Councilmember Canady: October 4, 1990

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 5, 1990 at 7 p.m. in Board Room 106, First Floor, at 519 West Kalamazoo Street, Lansing School Administration Building, for the purpose of approving and/or opposing the following ordinances to amend Part 12 (Planning and Zoning Code) of the Code of Ordinances of the City of Lansing by revising the following Chapters of Title Six of the Lansing Code of Ordinances. The proposed Zoning Code Amendments by Chapter and Section are as follows:

1240.03 Definitions.
1242.01 Administration, Enforcement and Penalty: Enforcement by Planning Division; Violations: Reviews.
1242.99 Administration, Enforcement and Penalty: Penalty Notice to Abate Violations; Equitable Remedies.
1248.03 A, A-1, B Residential Districts: Uses Permitted Subject to Special Conditions.
1248.04 A, A-1, B Residential Districts: Special Land Uses.
1248.10 A, A-1, B Residential Districts: Height Restrictions.
1250.03 C Residential District: Uses Permitted Subject to Special Conditions.
1250.10 C Residential District: Height Restrictions.
1252.10 DM-1 Residential District: Height Restrictions.
1254.02 DM-2 Residential District: Principal Uses Permitted.
1254.10 DM-2 Residential District: Height Restrictions.
1256.03 DM-3 Residential District: Uses Permitted Subject to Special Conditions.
1256.10 DM-3 Residential District: Height Restrictions.
1258.03 DM-4 Residential District: Uses Permitted Subject to Special Conditions.
1258.10 DM-4 Residential District: Height Restrictions.
1260.04 D-1 Professional Office District: Special Land Uses.
1262.10 D-2 Residential/Office District: Height Restrictions.
1264.08 E-1 Apartment Shop District: Side Yards.
1266.03 E-2 Local Shopping District: Uses Permitted Subject to Special Conditions.
1266.07 E-2 Local Shopping District: Side Yards.
1268.03 F and F-1 Commercial Districts: Uses Permitted Subject to Special Conditions.
1272.02 G-2 Wholesale District: Principal Uses Permitted.
1272.07 G-2 Wholesale District: Side Yards.
1274.03 H Light Industrial District: Uses Permitted Subject to Special Conditions.
1274.04 H Light Industrial District: Special Land Uses.
1276.03 I Heavy Industrial District: Uses Permitted Subject to Special Conditions.

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1276.04 I Heavy Industrial District: Special Land Uses.
1278.04 J Parking District: Special Land Uses.
1284.13 Off-Street Parking: Schedule of Required Spaces
1294.01 Nonconformities: Nonconforming Defined: Intent.
1294.02 Nonconformities: Groups of Nonconformities.
1294.04 Nonconformities: Criteria for Class A Status.
1294.06 Nonconformities: Class A Nonconformity Regulations.
1294.07 Nonconformities: Class B Nonconformity Regulations.

ADOPTED BY THE FOLLOWING VOTE:

Yeas: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

ORDINANCES FOR PASSAGE

By Councilmember Benavides:

That we proceed to the passage of the ordinances.

Carried unanimously; Councilmember Adado absent.

By Councilmember Lindemann:

That the first reading of these ordinances be considered as being read in their entirety.

Carried unanimously; Councilmember Adado absent.

NOTE: Z-10-90 A on Agenda was previously approved on August 6, 1990—Ordinance #2319

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-90B—Vacant Lot Adjacent to and West of 1020 East Saginaw Street to be rezoned from "D-1" Professional office District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

That this be considered as being read in its entirety.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-90B—Vacant Lot Adjacent to and West of 1020 East Saginaw Street to be rezoned from "D-1" professional Office District to "F" Commercial District be now passed.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

ORDINANCE #2325
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-10-90B, Vacant lot adjacent to and west of 1020 East Saginaw Street

Parcel Number: 3301-15-126-441
Legal Description: Lot 16 except land used for street purposes, Jones & Porter's Addition, City of Lansing, Ingham County, Michigan

From "D-1" Professional Office District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3: This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Canady:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-13-90—3405 North East Street to be rezoned from "A" Residential District to "G-2" Wholesale District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

That this be considered as being read in its entirety.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-13-90—3405 North East Street to be rezoned from "A" Residential District to "G-2" Wholesale District be now passed.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

ORDINANCE #2326
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

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The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-13-90, 3405 North East Street
Parcel Number: 3301-04-228-071
Legal Description: Lots 57 and 58, Supervisor's Plat of Schworers Bloomfield Farms, City of Lansing, Ingham County, Michigan From "A" Residential District to "G-2" Wholesale District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-14-90—3818 South Cedar Street to be rezoned from "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

That this be considered as being read in its entirety.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-14-90—3818 South Cedar Street to be rezoned from "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District be now passed.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, 5chmidt

NAYS: None

ABSENT: Adado

ORDINANCE #2327
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-14-90, 3818 South Cedar Street
Parcel Number: 3301-33-252-132

Legal Description: The west 64 feet of Lot 13 and the west 44 feet of the east 164 feet of Lots 14 and 15, Jessop's Home Gardens Subdivision, City of Lansing, Ingham County, Michigan From "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

SIGN CODE ORDINANCE

By Councilmember Lindemann:

That Councilmember Schmidt be excused from voting on passage of the Sign Code Ordinance due to possible family conflict of interest.

Carried unanimously; Councilmember Adado absent.

By Councilmember Lindemann:

That Page #37, Section 1440.15 (b) be deleted and returned to Committee for reconsideration.

Carried unanimously; Councilmember Adado absent

By Councilmember Lindemann:

That Page #47, Section 1440.21 (g) (6) be amended to delete references to obscene, indecent and immoral and that these references be returned to Committee for reconsideration.

YEAS: Councilmembers Canady and Lindemann

NAYS: Councilmembers Belen, Benavides, Crawford, Ford

ABSENT: Councilmember Adado

ABSTENTION: Councilmember Schmidt

By Councilmember Ford:

That Page #47, Section 1440.21 (g) (6) be amended to delete reference to indecent and immoral and that these references be returned to Committee for reconsideration.

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Ford and Lindemann

NAYS: None

ABSENT: Councilmember Adado

ABSTENTION: Councilmember Schmidt

By Councilmember Canady:

That the ordinance, as amended, be adopted.

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Ford and Lindemann

NAYS: None

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ABSENT: Councilmember Adado

ABSTENTION: Councilmember Schmidt

By Councilmember Ford:

That the ordinance be given immediate effect.

Carried unanimously; Councilmember Adado absent.

ORDINANCE NO. 825

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE ADOPTION OF A NEW SIGN CODE FOR THE PURPOSE OF PROVIDING COMPREHENSIVE REGULATIONS FOR THE DESIGN, CONSTRUCTION, LOCATION, MAINTENANCE, INSPECTION, INSTALLATION, AND REMOVAL OF SIGNS; REQUIRING PERMITS FOR CERTAIN SIGNS AND LICENSES FOR THE PERFORMANCE OF CERTAIN WORK; PROHIBITING CERTAIN ILLEGAL SIGNS; AND THEREBY AMENDING PART FOURTEEN, TITLE FOUR, CHAPTER 1440 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING.

The City of Lansing ordains:

Section 1. That Part Fourteen, Title Four, Chapter 1440 of the Codified Ordinances of the City of Lansing is hereby amended in its entirety by the adoption of a new sign code which is attached hereto as Exhibit A and made a part hereof.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

1440.01 PURPOSE

The purpose of this Chapter is to create the legal framework for a comprehensive and balanced system of signage on private and public property within the City of Lansing. This Chapter is intended to promote the public health, safety, and welfare of Lansing citizens, to facilitate communication between its citizens and their environment, to minimize and/or avoid the visual clutter that may be harmful to the City's appearance, to promote traffic and pedestrian safety, and to enhance property values and business opportunities within the City. To achieve these purposes, the Chapter has the following objectives:

1. To protect and promote the aesthetic quality of life within the City;

2. To keep signs within a reasonable scale with respect to the buildings to which they relate;

3. To protect the general public from damage and injury caused by the hazards and obstructions caused by the placement and/or improper maintenance of signage;

4. To promote the public health, safety, welfare, and construction/engineering standards with regard to signage;

5. To minimize and/or prevent hazards due to collapse, fire, collision, and/or decay of unsafe signage;

6. To regulate nonconforming signs, provide licensing requirements, and to provide standards for appeal and variance;

7. To preserve and/or increase the value of property by ensuring the compatibility of signage with surrounding land uses.

8. To prevent signs from conflicting with surrounding business, residential and public land use;

9. To prevent the placement of signs in a manner which will conceal or obscure other signs or adjacent businesses;

10. To keep the number of signs and sign messages at a reasonable level necessary to adequately identify and advertise a business, its products and services;

11. To preserve and enhance the functional and visual image of the City of Lansing as the State Capital of Michigan and the center of State government.

1440.02 DEFINITIONS

In the construction of this Chapter and any subsequent amendments thereto, the words and terms shall have the following described meaning, except where the context clearly indicates otherwise.

(1) 'Abandoned Sign' means any sign which is still on the premises 6 months after a business ceases to operate or moves from the location.

(2) 'Alteration' means any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

(3) 'Animated Sign' means a sign which indicates movement using lights or moving parts.

(4) 'Approved Plastic Material' means plastic material approved by U.B.C. Standard 52-3.

(5) 'Area' means the entire area within the limits of writing or pictorial representation together with any frame or other material or color forming an integral part of the display, excluding the necessary supports or uprights on which such sign is placed.

The area shall be determined by measuring from the outside edge of the frame, material or color forming the sign. If the sign has no backing, but a wall or canopy is used as the background, a square or rectangle shall be formed around the text or symbols, and those dimensions used to compute the area.

When a sign has two (2) or more faces the area of the largest face shall be used in determining the area of the sign.

(6) 'Balloon' shall mean any device capable of being inflated with air, helium, or other gas and mounted, tied or tethered in such a manner as to prevent the balloon from being carried away by the wind.

(7) 'Banner Sign' shall mean any sign produced on cloth, paper, fabric, or on any other combustible material, either with or without a supporting framework.

(8) 'Billboard' shall mean any display sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

(9) 'Building Facade' shall mean the front of a building facing a

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right-of-way line. In the case of a corner lot, or in the case of a building covering an entire block a building may have more than one facade.

(10) 'Canopy' means a structure or frame covered with canvas, vinyl or other material usually extending from a wall of a building, which provides shelter from sunlight and the elements. 'Canopy' shall also include awnings.

(11) 'Canopy Sign': A sign displayed and affixed flat on the surface of a canopy which does not extend vertically or horizontally beyond the limits of the canopy.

(12) 'Changeable Copy Sign' shall mean any sign designed or constructed whereby the lettering or message usually contained thereon is capable of being changed by rearranging or installing new letters or messages without removing, replacing or resurfacing the face of such sign.

(13) 'Combination Sign' means any sign which combines the characteristics of two (2) or more signs.

(14) 'Department' shall mean the Department of Planning and Municipal Development, City of Lansing, Michigan.

(15) 'Dilapidated Sign' shall mean any sign, which by reason of damage, exposure to the elements, age, natural deterioration, lack of maintenance, or other causes has deteriorated so as to have fallen into a state of disrepair.

(16) 'Directional Sign' means an on premise sign containing non-commercial messages, including but not limited to designation of rest rooms, telephone locations, restrictions on smoking, and door openings. 'Directional Sign' also means a sign containing noncommercial messages for, but not limited to, private traffic control, and parking signs.

(17) 'Director' means the Director of the Department of Planning and Municipal Development, City of Lansing, or his or her designated enforcement officer.

(18) 'Display Surface' means the area available on the sign structure for the purpose of displaying an advertising message.

(19) 'Disrepair' means any sign as defined herein, which by reason of neglect, damage or deterioration, requires repair.

(20) 'Double-faced Sign' means any sign containing two (2) sign surfaces.

(21) 'Existing Sign' means any sign which is displayed on and after the effective date of this Chapter.

(22) 'Gasoline Price Sign' means any sign more than two (2) square feet in area which is used to advertise the price of gasoline or other fuels. In the event that brand identification is used or is a part of the sign advertising price, it shall be considered as part of the gasoline price sign.

(23) 'Ground Pole Sign' means a sign which is supported by one or more poles, uprights, or braces in or upon the ground, which are not part of a building.

(24) 'Height of Sign' shall mean the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level elevation at the base of the sign.

(25) 'Illuminated Sign' means any sign which has characters, letters, figures, designs, faces, backgrounds or outlines illuminated by incandescent or fluorescent lamps or luminous tubes as part of the sign proper, such light sources being either external or internal.

(26) 'Institutional Use' means schools, churches, hospitals or any other public or quasi-public use permitted in a zoning district.

(27) 'Mansard Roof' means a sloped roof or roof-like facade architecturally comparable to a building wall.

(28) 'Marquee' means a permanent roof-like structure extending from part of the wall of a building but not supported by the ground, and constructed of material such as metal, glass, wood or any other construction material.

(29) 'Marquee Sign' means a sign which is attached to a marquee. These signs shall be treated as wall signs.

(30) 'Message Unit' means a word, an abbreviation, a number containing up to seven (7) digits, a symbol, a geometric shape, and/or a person's or firm's initials containing up to seven (7) letters. Letters or numbers four inches or smaller in height, and punctuation marks are not counted in computing a number of message units. When a double faced or multiple faced sign is installed, only the message units on one side of such sign shall be counted in computing the permitted number of message units.

(31) 'Mobile Temporary Sign' is a sign supported on a mobile frame with or without wheels, but not including motor vehicles. It is not permanently affixed to the ground and is capable with minor modification of being moved from one location to another. For the purposes of this Chapter, a trailer sign is considered to be a mobile temporary sign.

(32) 'Moving Message Board' shall mean an electrical sign designed to exhibit a pattern of letters or numbers delivered in such fashion so as to appear to be moving lines or words of type.

(33) 'Multiple-faced Sign' means any sign containing three (3) or more surfaces containing words, numbers, figures, devices, designs, or trademarks visible to the general public and designed to inform or attract the attention of persons, so that such messages as contained on the sign face are visible to persons viewing such signs from two or more directions.

(34) 'Noncombustible' as applied to building construction material means a material which, in the form in which it is used, is either one of the following:

A. Material of which no part will ignite and burn when subjected to fire. Any material conforming to U.B.C. Standard No. 4-1 shall be considered noncombustible within the meaning of this section.

B. Material having a structural base of noncombustible material as defined in (34)A. above, with a surfacing material not over ⅛ inch thick which has a flame spread rating of 50 or less.

'Noncombustible' does not apply to surface finish materials. Materials required to be noncombustible for reduced clearances to flues, heating appliances, or other sources of high temperature shall refer to material conforming to (34)A. No material shall be classed as noncombustible which is subject to increase in combustibility or flame spread rating, beyond the limits herein established, through the effects of age, moisture or other

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atmospheric conditions.

Flame-spread rating as used herein refers to rating obtained according to tests conducted as specified in U.B.C. Standard No. 42-1.

(35) 'Nonconforming Sign' means any sign existing on and after the effective date of this Chapter which does not comply with one or more of the requirements for signs as contained in this Chapter.

(36) 'Parapet' means that part of any wall entirely above any roof line of a building.

(37) 'Plastic Material' means those materials made wholly or principally from standardized plastics listed in and described in the U.B.C. Standards.

(38) 'Political Sign' means a sign announcing the/candidacy of a person or persons running for public office or issues to be voted upon at an election.

(39) 'Projecting Encroaching Sign' means a projecting sign that projects beyond a private property line into and over public property.

(40) 'Projecting Sign' means a sign, other than a wall sign, suspended from or supported by a building.

(41) 'Roof Sign' means a sign erected over or on, and wholly or partially dependent upon the roof of any building for support or attached to the roof in any way.

(42) 'Rotating Sign' means any sign or advertising device that rotates or gives the appearance or optical effect of rotating.

(43) 'Setback' is the protected area within which there is no encroachment. For purposes of this Chapter, all setback dimensions shall be measured from the property line.

(44) 'Sign' means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

(45) 'Sign Support' means a supporting structure with or without a sign thereon.

(46) 'Temporary Sign' means a sign, banner, inflatable, or other advertising device constructed of wood, cloth, canvas, fabric or other light material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.

(47) 'Time and Temperature Sign' means a sign with numbers expressing the time and/or temperature and designed to reflect changes in such information.

(48) 'U.B.C. Standards' means the UNIFORM BUILDING CODE Standards for the UNIFORM BUILDING CODE, being Part XI of the UNIFORM BUILDING CODE, as adopted by the City and as amended from time to time.

(49) 'Uniform Building Code' means the UNIFORM BUILDING CODE published by the International Conference of Building Officials, as adopted and amended from time to time.

(50) 'Unsafe', 'Dangerous' means any sign which becomes insecure or in danger of falling.

(51) 'Unlawful' means any sign that is erected, or maintained in violation of this Chapter.

(52) 'Wall Sign' means a sign which is attached to, and/or affixed to, the face of the wall of any building structure or part thereof, provided that no part of any such sign extends more than twenty-four (24) inches from the face of the exterior wall.

(53) 'Window Sign' means any paper, cardboard, or painted graphics or other material conveying an advertising message which is designed for or placed behind any window visible to the public.

1440.03 SCOPE OF REQUIREMENTS

It shall be unlawful for any person, firm or corporation to erect, construct, maintain or alter any sign in the City of Lansing without complying with the provisions of this Chapter. Any sign already erected on the effective date of this Chapter, and which is rendered nonconforming by the provisions of this Chapter, and any sign which is rendered nonconforming as a result of subsequent amendments hereto, shall be subject to the regulations concerning nonconforming structures and uses set forth in the Zoning Ordinance.

1440.04 ENFORCEMENT

(a) AUTHORITY OF DIRECTOR OF PLANNING AND MUNICIPAL DEVELOPMENT

The Director is authorized to enforce this Chapter.

(b) RIGHT OF ENTRY

Whenever necessary to make an inspection to enforce any of the provisions of this Chapter, or whenever the Director has reasonable cause to believe that there exists in any building or upon any premises any condition or violation of this Chapter which makes such building or premises unsafe, dangerous or hazardous, the Director may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Director by this Chapter, provided that if such building or premises be occupied, the Director shall first present proper credentials and request entry; and if such building or premises be unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Director shall have recourse to every remedy provided by law to secure entry.

1440.05 LICENSE REQUIRED; EXCEPTION

No person shall engage in the business of, or perform work of installing, erecting, maintaining, repairing or altering any sign without first obtaining a license therefor from the City Clerk. Notwithstanding the preceding sentence, a person does not need a license to obtain a permit to install a nonelectrical sign, provided the sign does not exceed an area of thirty two (32) square feet, a height of seven (7) feet above grade, has no illumination, and no remuneration, monetary or otherwise, is involved.

(a) INSURANCE REQUIREMENTS FOR LICENSES

(1) INSURANCE

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Every person engaged in the installation, alteration, maintenance, repair or erection of signs shall file with the City Clerk proof of a general liability insurance policy which insures such person and the City against any liability imposed upon such person and/or the City arising out of the performance of the work carried on by such person. Such insurance shall provide for the payment to any person injured, or to another by reason of the death of any one person, to the extent of one hundred thousand dollars ($100,000.00), and for the payment of three hundred thousand dollars ($300,000.00) for injuries to or the death of more than one person, and for property damage in the amount of one hundred thousand dollars ($100,000.00).

(b) LICENSE FEES AND PERMIT FEES

(1) Fees for licenses required by this Chapter shall be established by resolution of City Council. All such licenses shall automatically expire on April 30 of each year unless renewed. All such license fees shall be nonrefundable.

(c) PERMITS AND INSPECTION FEES,:

(1) All fees, except as otherwise provided in this Chapter, shall be set by resolution of City Council and paid in advance. Copies of the resolution setting the sign permit fees shall be filed in the office of the City Clerk.

(2) The permit fees for all signs shall be in addition to any fees required for electrical inspections when electric lighting is used.

1440.06 PERSONS HAVING SIGNS ERECTED: PERMIT REQUIRED: EXCEPTIONS

(a) IN GENERAL

No person shall erect, construct, relocate, or cause or permit to be erected, constructed, relocated, or significantly altered any sign in the City without first obtaining a permit therefor from the Department of Planning and Municipal Development, except as defined in (e) below. A separate permit shall be required for each sign. Electrical signs shall, in addition, require an electrical permit.

(b) SUBMISSION OF REQUIRED SIGN PERMIT APPLICATION
Each sign permit application shall require the applicant to provide the following information:

(1) The name, current address and current tele,phone number of the applicant.

(2) The legal description or the permanent parcel number, and the address of the parcel on which the activity is to occur.

(3) The location of the proposed sign relative to the property lines of the parcel.

(4) All points of ingress and egress on the subject parcel and on adjacent parcels if there are adjacent parcels within sixty (60) feet of the proposed sign location or alteration, and the location of parking spaces if any.

(5) A sign plan which includes the following information: location of sign on parcel, sign dimensions, sign message dimensions, height, width of building, parcel zoning district, and a sign sketch.

(6) Construction design information.

(7) Any other information which in the determination of the Department may be necessary to adequately review the proposal.

(c) SIGN PERMIT APPLICATION REVIEW AND APPROVAL

Sign permit applications along with appropriate nonrefundable fee shall be submitted to the Building Safety Division on forms made available by the City. Upon receipt of a sign permit application, the Building Safety Division shall forward the application to the Planning Division for review and approval prior to the issuance of a sign permit. If it is discovered that the sign permit application contains any false information, the Building Safety Division may revoke the permit or deny the permit application, whichever is appropriate.

(d) ENLARGEMENT OR RELOCATION

No person shall enlarge, alter, modify or relocate any sign except in conformity with the provisions of this chapter relating to new signs. The changing of removable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this Chapter are not violated.

(e) EXCEPTIONS

No sign permit shall be required for the following signs:

(1) Signs less than ten (10) square feet; or

(2) Temporary signs as permitted in Section 1440.18.

Such exceptions, however, shall not be considered to relieve the owner of the sign from responsibility for its placement, erection, maintenance, removal, and disposal in a safe manner and in compliance with the provisions of this Chapter.

(f) APPEAL PROCEDURE

An appeal of any decision by the Director shall be made as follows:

1. Appeals pertaining to the structural features of a sign shall be made to the Building Board of Appeals.

2. Square footage of sign area, setback requirements, message unit limitations, and other dimensional requirements shall be made to the City of Lansing Board of Zoning Appeals.

3. All appeals shall be made within 30 days from date of receipt of decision by the Director.

An appeal fee shall be nonrefundable and paid at the time of the filing of the appeal and shall be in an amount as established by resolution adopted by the City Council. The appeal application shall specify the particular grounds upon which the appeal is based and shall be signed by a party aggrieved or his or her authorized representative. If a variance is sought, the appeal shall specify the requirements from which the variance is sought and the nature and extent of such variance.

(g) PENALTY

Any person, firm or corporation violating any of the provisions of this Chapter shall be guilty of a misdemeanor, and each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the

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provisions of this ordinance is committed, continued, or permitted.

(h) INSPECTION OF WORK COVERED BY PERMIT

A person conducting or performing work covered by a permit required by this Chapter shall notify the Director when such work has commenced, in accordance with the inspection schedule established by the Building Safety Division. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the Director. When required, a Certificate of Inspection will be issued. No electrical or illuminated sign shall be permanently operated before it has been inspected in accordance with the City of Lansing Electrical Code.

(i) SUSPENSION OR REVOCATION OF LICENSES AND PERMITS

The Director shall give notice, in writing, to the holder of a license or permit issued under this Chapter of the reasons for any proposed suspension or revocation of such license or permit, which notice shall be served upon such holder at least five (5) days before the time set for the hearing before the Building Board of Appeals. At the hearing, the licensee or permittee may appear, in person, be represented by counsel, and contest such suspension or revocation. For good cause shown at such hearing, the Building Board of Appeals may suspend or revoke any such license or permit.

1440.07 UNSAFE AND DANGEROUS OR UNLAWFUL SIGNS: NOTICE TO CORRECT OR REMOVE

Unsafe and dangerous or unlawful signs as determined by the Director, shall be immediately removed or shall be made safe or lawful, whichever is appropriate in accordance with all the provisions of this Chapter. The Director shall notify, by written notice, the property owner, and/or other known responsible parties, of such condition and shall direct them to remove or make immediate corrections, whichever is appropriate. Should the property owner and/or other known responsible parties fail to comply with such notice, the Director shall take all action necessary to remove or correct the unsafe condition, whichever is correct. Any cost incurred by the City in removing or making the sign safe shall be a lien against the real property on which the sign is located and shall be reported to the City Assessor, who shall assess the cost against the property.

1440.08 MAINTENANCE AND INSPECTION

Every sign in the City, including those signs for which permits are required, or exempt signs for which no permits are required shall be maintained in good structural condition at all times. All signs, including exempt signs, shall be kept neatly painted, including all metal parts and supports. The Director shall, from time to time, inspect and have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute a physical hazard to public safety.

1440.09 EXISTING SIGNS

No sign heretofore approved and erected shall be altered or relocated either on the same or to other premises. No sign, or any substantial part thereof, which is destroyed, shall be reerected, reconstructed, rebuilt or relocated, unless the same is in compliance with all applicable requirements of this Chapter.

1440.10 NONCONFORMING SIGNS AND BILLBOARDS

Signs or billboards erected, constructed or installed prior to the effective date of this Chapter and which do not conform to the regulations and restrictions contained in this Chapter shall be deemed to be "nonconforming" and shall be regulated under the nonconforming section of the Zoning Ordinance.

1440.11 DESIGN AND CONSTRUCTION

(a) Design

(1) General. Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this section. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to overstress any of the elements thereof. The overturning moment produced from lateral forces shall in no case exceed two-thirds of the dead-load resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth superimposed over footings may be used in determining the deadload resisting moment. Such earth shall be carefully placed and thoroughly compacted.

(2) Wind Loads. Signs and sign structures shall be designed and constructed to resist wind forces as specified in Chapter 23 of the Building Code.

(3) Seismic Loads. Signs and sign structures shall be designed and constructed to resist seismic forces as specified in Chapter 23 of the Building Code.

(4) Combined Loads. Wind and seismic loads need not be combined in the design of signs or sign structures; only that loading producing the larger stresses need be used.

Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind or seismic loads.

(5) Allowable Stresses. The design of wood, concrete, steel or aluminum members shall conform to the requirements of Chapters 25, 26, 27 and 28 of the Building Code. Loads both vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified in Chapter 29 of the Building Code.

The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners. Working stresses for wind or seismic loads combined with dead loads may be increased as specified in Chapter 23 of the Building Code.

(b) Construction

(1) General. The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of this code.

(2) Materials. Materials of construction for signs and sign structures shall be of the quality and grade as specified for buildings in the Building Code. In all signs and sign structures the materials and details of construction shall, in the absence of

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specified requirements, conform with the following:

Structural steel shall be of such quality as to conform with U.B.C. Standard No. 27-1. Secondary members in contact with or directly supporting the display surface may be formed of light gauge steel, provided such members are designed in accordance with the specifications of the design of light gauge steel as specified in U.B.C. Standard No. 27-9 and in addition shall be galvanized. Secondary members, when formed integrally with the display surface, shall be not less than 0.024 inch in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be 0.10 inch. The minimum thickness of hot-rolled steel members furnishing structural support for signs shall be ¼ inch, except that, if galvanized, such members shall be not less than ⅛ inch thick. Steel pipes shall be of such quality as to conform with U.B.C. Standard No. 27-1. Steel members may be connected with one galvanized bolt, provided the connection is adequate to transfer the stresses in the members. Anchors and supports when of wood and embedded in the soil, or within 6 inches of the soil, shall be of all heartwood of a durable species or shall be pressure treated with an approved preservative. Such members shall be marked or branded by an approved agency.

(3) Restrictions on Combustible Materials. Ground signs and canopy signs may be constructed of any material meeting the requirements of this Chapter. All other signs permitted by this Chapter shall be constructed of noncombustible materials. No combustible materials other than approved plastics shall be used in the construction of electric signs.

Exceptions: Nonelectric wall signs may be constructed of unprotected combustible materials on walls permitted to be of unprotected combustible construction.

(4) Nonstructural Trim. Nonstructural trim and portable display surfaces may be of wood, metal, approved plastics or any combination thereof.

(5) Anchorage. Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind or seismic load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pullout amounting to a force 25 percent greater than the required resistance to overturning. Anchors and supports shall penetrate to a depth below ground greater than that of the frost line. Mobile temporary signs supported by frames or posts rigidly attached to the base shall be so proportioned that the weight and size of the base will be adequate to resist the wind pressure specified in this Chapter. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied.

No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of signs attached to wood framing.

No anchor or support of any sign shall be connected to, or supported by an unbraced parapet wall, unless such wall is designed in accordance with the requirements for parapet walls specified for seismic zones in the Building Code.

(c) Illumination

WIRING INSTALLATION: OPEN SPARK OR FLAME PROHIBITED
No sign shall be illuminated by other than electrical devices. Wiring shall be installed in accordance with the requirements of the NATIONAL ELECTRICAL CODE. In no case shall any open spark or flame be used for display purposes.

1440.12 GROUND/POLE SIGNS

(a) PERMITTED ZONING DISTRICTS

Ground/pole signs are permitted in all zoning districts except no ground/pole signs shall be permitted in residential zoning districts or the D-2 Residential/Office Zoning District.

(b) NUMBER

One ground/pole sign per parcel is allowed. On corner properties facing major or minor arterials, one additional ground/pole sign may be permitted provided it complies with the remaining provisions of this Chapter.

(c) HEIGHT AND AREA

The maximum height and area of the ground/pole sign will be determined by using the ground/pole sign primary regulation chart and the ground/pole sign secondary regulation chart, (h)(8).

(d) LOCATION

Ground/pole signs shall be located on private property and the ground/pole sign or any portion there of shall not project over public property. The setback from the right-of-way will be determined by using the ground/pole sign primary and secondary regulation chart.

(e) OBSTRUCTION TO ACCESS

No ground/pole sign shall be erected or maintained so as to obstruct access to or from any building, sidewalk, or street.

(f) WIND LOADS

Ground/pole signs shall be constructed and/or installed to withstand wind loads as specified in the Building Code.

(g) MAINTENANCE

The physical conditions of each ground/pole sign and its immediate surrounding premises shall be maintained in a clean, sanitary and inoffensive condition.

(h) GENERAL GROUND/POLE SIGN REGULATIONS

(1) RESIDENTIAL DISTRICTS (A, A-1, B, C)

A. Ground/pole signs are not permitted in A, A-1, B, and C Residential Zoning Districts.

(2) MULTIPLE RESIDENTIAL DISTRICTS IDENTIFICATION SIGNS (DM-1, DM-2, DM-3, and DM-4)

A. Ground/Pole signs shall:

1. Not be permitted on a parcel containing less than 12,000 square feet of parcel area.

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2. Be permitted on parcels containing 12,000 square feet up to ½ acre of parcel area. The ground/pole sign shall not exceed 20 square feet of sign area and no illumination is permitted.

3. Be permitted on parcels containing over ½ acre of parcel area. The ground/pole shall not exceed 40 square feet of sign area and illumination is permitted.

B. Where ground/pole signs are permitted under this subsection, the following conditions are applicable:

1. One sign per lot.

2. Twenty feet minimum set back from the property line.

3. Six feet maximum height.

4. Only used for building, or development identification.

(3) PROFESSIONAL OFFICE DISTRICT (D-1 AND E-1)

A. Ground/Pole signs are permitted in the D-1 and E-1 Professional Office Zoning Districts subject to the following conditions:

1. No more than one ground/pole sign per parcel.

2. Parcels containing less than ½ acre of parcel area:

a. Forty square feet maximum size area; and

b. Fifteen feet minimum setback from property; and

c. Six feet maximum height

3. Parcels containing ½ acre or more of parcel area must conform to the requirements set forth in Chart II for maximum height, setback and area.

B. Wherever ground/pole signs are permitted in this subsection, the following additional restrictions are applicable:

1. No sign illumination, shall be permitted if the sign is located anywhere on a parcel that is immediately adjacent to residential use unless the parcel exceeds 12,000 square feet.

(4) RESIDENTIAL/OFFICE DISTRICT (D-2)

Ground/pole signs shall not be permitted in the D-2 Residential-/Office Zoning District.

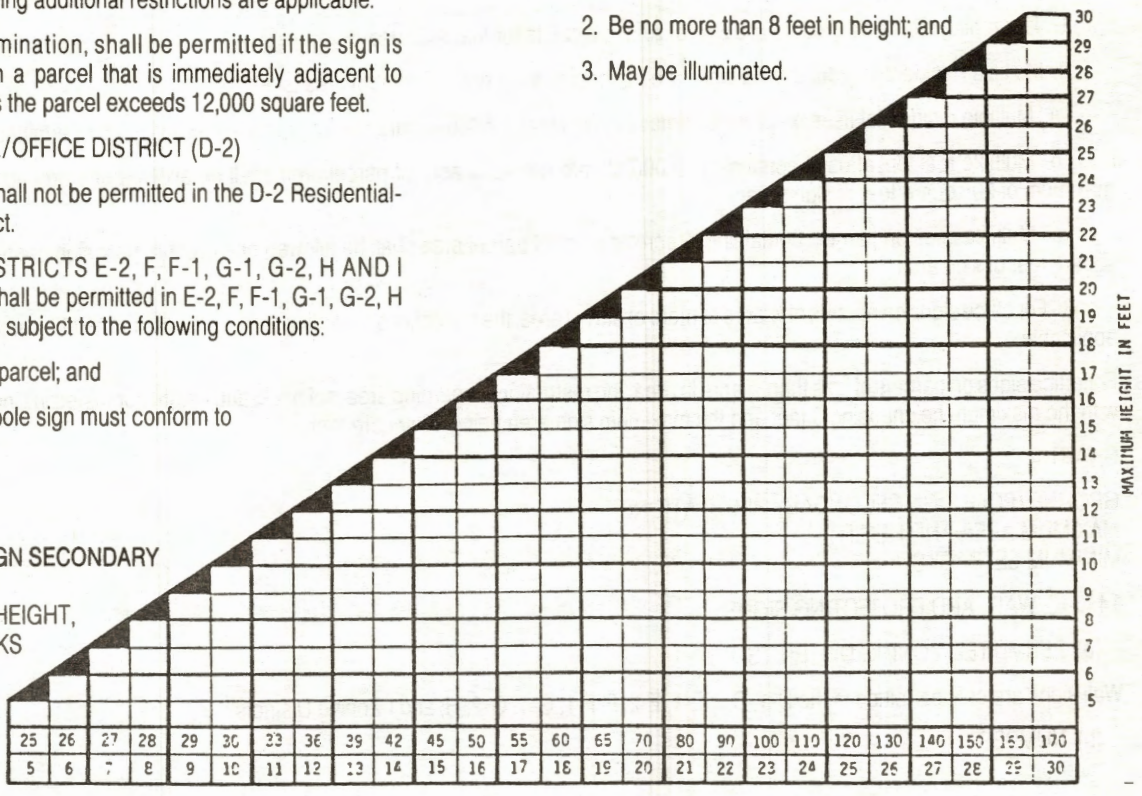
(5) ZONING DISTRICTS E-2, F, F-1, G-1, G-2, H AND I
Ground/pole signs shall be permitted in E-2, F, F-1, G-1, G-2, H and I Zoning Districts subject to the following conditions:

A. One sign per parcel; and

B. The ground/pole sign must conform to Chart II for area and setback; and

CHART II

GROUND/POLE SIGN SECONDARY REGULATIONS
MAXIMUM AREA & HEIGHT, MINIMUM SET BACKS



MAX. SQ. FT. IN AREA	25	26	27	28	29	30	33	36	39	42	45	50	55	60	65	70	80	90	100	110	120	130	140	150	160	170
MIN. SET BACK IN FEET	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

C.May be illuminated.

(6) DIRECTIONAL SIGNS

Ground/pole directional signs shall be permitted in DM-1, DM-2, DM-3, DM-4, D-1, E-1, D-2, F, F-1, G-1, G-2, H and I subject to the following conditions:

A. No more than one ground/pole sign per property entrance/exit; and

B. Must not exceed 4 square feet maximum in size area; and

C. Must not exceed 3 feet maximum height; and

D. Must be set back no more than 10 feet from the property line.

(7) INSTITUTIONAL GROUND/POLE SIGNS

A. Institutions located on 2 acres or more of land area, which parcels are located on a major or minor arterial street shall be allowed a maximum of 50 square feet of ground/pole sign area.

B. Institutions located on parcels containing 2 acres or more of land area, which parcels are not located on a major or minor arterial street shall be allowed 40 square feet of ground/pole sign area.

C. Institutions located on parcels containing less than 2 acres of land area shall be allowed a maximum of 20 square feet of ground/pole sign area, with height and set back determined by Chart II to a maximum height of 8 feet.

D. All institutional ground/pole signs permitted under this subsection shall:

1. Be set back at least 20 feet from the property line, or shall be set back according to Chart II, whichever is less; and

2. Be no more than 8 feet in height; and

3. May be illuminated.

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(8) Dimensional Requirements for Ground/Pole Signs

Ground/Pole sign primary regulations are set forth in Chart I and are intended to provide for more restrictive regulations (area, height, setback) for ground/pole signs which are adjacent to more restrictive land uses (e.g., commercial signage adjacent to residential structures). Chart I is applied by determining the land use of the parcel on which the proposed ground/pole sign is to be located and comparing it to the most restrictive adjacent land use for purposes of identifying dimensional requirements. In situations where commercial signage is proposed, Chart I is used in conjunction with Chart II to determine dimensional regulations.

CHART I
GROUND/POLE SIGN PRIMARY REGULATIONS

LAND USE OF PROPOSED LOCATION / LAND USE OF ADJACENT PARCELS	RESIDENTIAL A,A-1,B,C, D-2 & PRD	MULTIPLE DM-1,DM-2, DM-3,DM-4	OFFICE D-1 & E-1	COMMERCIAL E-2,F,F-1 G-1,G-2,H,I
MULT FAM DM-1,DM-2, DM-3,DM-4 Note 1	20' setback Area: Note 2 6' max ht	20' setback Area: Note 2 6' max ht	20' setback Area: Note 2 6' max ht	20' setback Area: Note 2 6' max ht
OFFICE D-1,E-1 Note 3	20' setback 20 sq ft max area 6' max ht	20' setback 40 sq ft max area 6' max ht	15' setback 40 sq ft max area 6' max ht	Note 3
COMMERCIAL E-2,F,F-1 G-1,G-2,H,I	20' setback CHART II	20' setback CHART II	15' setback CHART II	CHART II

NOTES:

1. The zoning districts indicated are typical zoning districts for that land use.

2. Multiple Residential ground/pole signs are for identification only. Maximum area is:

a. Multiple residential uses on parcels containing less than 12,000 square feet of parcel area shall not be permitted a ground/pole sign.

b. Multiple residential uses containing 12,000 square feet to ½ acre of parcel area shall be allowed one ground/pole sign containing a maximum of 20 square feet of sign area.

c. Multiple uses on parcels containing ½ acre or more of parcel area shall be allowed one ground/pole sign containing a maximum of 40 square feet of sign area.

3. For office signs on parcels of ½ acre or more of parcel area, the restrictions regarding area, set back, and height, contained in Chart II shall be applicable.

For office signs on parcels of less than ½ acre in area, the restrictions regarding area, set back, and height contained in Chart II shall be applicable with the maximum height being 6 feet and the maximum sign area being 40 square feet.

CHART II

GROUND/POLE SIGN SECONDARY REGULATIONS
MAXIMUM AREA AND HEIGHT
MINIMUM SETBACKS

1440.13 WALL AND PROJECTING SIGNS

(a) PERMITTED ZONING DISTRICTS

Wall signs are only permitted in the D-1, D 2, E-1, E-2, F, F-1, G-1, G-2, H, and I Zoning Districts.

(b) NUMBER

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Two (2) wall signs per building are allowed. The total sign area of the signs permitted under this subsection shall not exceed the maximum square footage allowed by the building frontage table (j). No wall sign shall be permitted on a building side which is adjacent to residentially zoned land. Directional wall signs will not be counted against the number of wall signs or the allowed area of wall signs permitted. Buildings located on a corner or corners of major or minor arterials are allowed two (2) wall signs per building facade.

(c) MATERIAL

Wall signs shall be constructed of noncombustible material, except that approved combustible materials which meets the requirements of 1440.11(b)(3).

(d) AREA

The area of the wall sign shall be determined by measuring from the outside of the frame, material or color forming the sign. If the wall sign has no backing, but the wall is utilized as a background for the sign, a square or rectangle shall be formed around the text or symbols and those dimensions used to compute the wall sign area.

(e) LOCATION

No wall sign shall be attached to a building in such a manner as to obstruct any door, window, fire escape or ventilation system.

(f) ERECTION

Wall signs shall not be erected to extend above the top of a wall or beyond the ends of the wall to which they are attached. Signs shall be placed flat against the building.

(g) THICKNESS

No wall sign shall be more than twenty-four (24) inches deep.

(h) OBSTRUCTION

No wall sign shall be constructed in such a manner to interfere with pedestrian or vehicular movement.

(i) PROJECTING SIGNS

Projecting signs shall only be used when a ground/pole sign cannot be used according to the ground/pole sign section setback chart (Chart II). Projecting signs shall not exceed thirty-two (32) square feet in area and cannot project more than 4 feet from the building front. Projecting signs shall have a minimum of 10 feet of clearance from the bottom of the sign to grade and may not extend above the roofline nor shall any portion extend into or over the public right-of-way. The area of the projecting sign shall be subtracted from the amount of wall sign area allowed.

(j) MAXIMUM WALL SIGN AREA

BUILDING FRONTAGE TABLE

Building Frontage	Maximum Wall Sign Area
Up to 39 lineal feet of building frontage	15% of building facade[1] area to maximum size 50 sq. ft.
40 feet to 99 feet of lineal building frontage	15% of building facade area to maximum size 150 sq. ft.
100 feet and up of lineal building frontage	15% of building facade area to maximum size 200 sq. ft.
H & I zoned buildings of over 200 lineal feet of building frontage	15% of building facade area to maximum size 300 sq. ft.

[1] Building facade area calculated by 15 feet (height) x building width.

1440.14 CANOPY SIGNS

Canopy signs shall be considered wall signs for the purpose of determining the number of signs permitted under this Chapter. Canopy signs shall be constructed of fire-rated materials. Message units contained on canopies may be affixed only to the vertical face of the canopy and the maximum allowable area of any message units shall be determined by the building frontage table. Canopy signs shall have a vertical clearance above grade of a minimum of eight (8') feet, and shall not project more than thirty-six (36) inches.

1440.15 WINDOW SIGNS

(a) PERMITTED ZONING DISTRICTS

Window signs are permitted in office, commercial, wholesale and industrial zoning districts.

1440.16 RESIDENTIAL IDENTIFICATION WALL SIGNS

(a) PERMITTED ZONING DISTRICTS

Residential identification wall signs shall only be allowed in the DM-1, DM-2, DM-3 and DM-4 Zoning Districts. Only one residential identification wall sign shall be permitted on a parcel.

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(b) SIZE

For parcels with 8000 or more square feet of area a residential identification wall sign with a maximum of 30 square feet of sign area shall be allowed. For parcels with less than 8000 square feet of parcel area a residential identification wall sign with a maximum of 15 square feet of sign area shall be allowed.

(c) RESTRICTIONS

Residential identification wall signs shall not be illuminated. Residential identification wall signs shall be used only for building identification.

1440.17 INSTITUTIONAL WALL SIGNS

(a) NUMBER

One institutional wall sign shall be allowed for each institutional use.

(b) SIZE

Institutions located on parcels containing 2 acres or more of land area, which parcels are located on a major or minor arterial street shall be allowed a maximum of 50 square feet of wall sign area.

Institutions located on parcels containing 2 acres or more of land area, which parcels are not located on a major or minor arterial street shall be allowed 40 square feet of wall sign area.

Institutions located on parcels containing less than 2 acres of land area shall be allowed a maximum of 20 square feet of wall sign area.

(c) ILLUMINATION

Institutional wall signs may be illuminated.

1440.18 TEMPORARY SIGNS

(a) NUMBER

One (1) temporary sign shall be permitted at any given time per parcel unless otherwise stipulated.

(b) RESTRICTIONS

All temporary signs not listed in the following chart are prohibited. Use, size, height, number and duration are listed in the following chart. Temporary signs 32 square feet or less do not require a permit, but must meet all other code requirements.

TEMPORARY SIGNS
(MAXIMUM SIZE PER FACE)

SIGN USE	HEIGHT AND NUMBER	MAXIMUM DURATION
Real estate, sale, rent or lease in residential dist. (No permit)	6 sq ft (single family) 10 sq ft (multiple family)	5 calendar days after purpose of sign fulfilled
Real estate, all other districts (No permit)	32 sq ft	5 calendar days after purpose of sign fulfilled
Building construction signs for single family & duplex residential subdivisions	1 per street entrance 20 sq ft maximum size 9 ft height maximum	5 calendar days after 90% of the lots are sold or a maximum of 3 years, whichever is first
Building construction signs for multiple (apartments) family district	1 per street entrance 32 sq ft maximum size 10 ft height maximum	5 calendar days after 80% of the apartments are occupied or maximum of 2 years, whichever is first
Building construction all other districts except residential	200 square feet of total signage	First occupancy
Election signs all zoning districts (No permit)	5 ft height maximum 32 sq ft maximum area	35 calendar days prior to election the sign pertains to until 5 days after the election the sign pertains to. Not permitted in the public right-of-way.
Commercial and industrial district signage	26 square feet	A total of 20 days per year
Residential garage sales (No permit required)	4 square feet	A total of 15 days per year

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1440.19 MOBILE TEMPORARY SIGN

(a) PERMITS

A permit must be obtained from the Department and the appropriate nonrefundable fees paid by the sign owner/user before any mobile temporary sign is allowed to be placed on any parcel. A site plan, drawn to scale, shall show the location of the proposed mobile temporary sign as it relates to property lines, structures on the property, roadways and driveways/curb cuts.

A permit or permits totaling not more than 60 days per calendar year will be allowed.
A new application, permit and payment of the appropriate fees are required for each time period. One (1) mobile temporary sign will be permitted at one time for each parcel. The sign owner and/or business proprietor will be responsible for removal at the end of the permit period.

(b) LOCATION

A mobile temporary sign shall be located at the parcel indicated on the permit. The sign shall be set back a minimum of five (5') feet from the property line. Mobile temporary signs are allowed only in the following zoning districts: E-2, F, F-1, G-1, G-2, H and I. Signs shall be placed in such a manner so as not to obstruct the visibility of vehicle traffic on adjacent properties and at street intersections. Institutional land uses are permitted to have a mobile temporary sign in accordance with the regulations of this Chapter.

(c) SIZE

A mobile temporary sign shall not exceed eight (8') feet in any one of its dimensions, or thirty-two (32) square feet in area.

(d) IDENTIFICATION

Each mobile temporary sign shall have securely fastened there to a name plate showing the name, current address, and phone number of the current owner of the sign. The sign owner and/or business proprietor shall be responsible for proper placement.

(e) COMPLIANCE

A mobile temporary sign placed in violation of any provisions of this section may be impounded. Any costs associated with the impoundment and removal of the sign by the City shall be deducted from the deposit on file with the City. Five (5) calendar days from the date of notification to the sign owner and/or business proprietor of the impoundment, the sign may be disposed of if not claimed or made to comply.

Any existing mobile temporary sign in use after the date of adoption of this chapter without a permit or proper identification will be tagged with a violation notice. If the sign is not made to comply within fifteen (15) calendar days after the violation sticker is applied, it may be impounded. Five (5) calendar days after the impoundment, if the sign is not claimed and made to comply, it may be disposed of.

(f) FEES

A deposit fee of $150.00 will be required for each permit. A fee of $50.00 will be required for the first 15 days of permitted use per calendar year. A fee of $5.00 a day will be required for each day beyond 15 days per calendar year to a maximum of 60 days per calendar year. The appropriate fee and the appropriate deposit fee shall be nonrefundable and shall be paid at the time of each application. If the sign is not removed within three (3) calendar days after the end of its permitted period, the deposit will become property, of the City and the sign may be impounded at the expense of the sign owner and/or business proprietor. The sign may be reclaimed by the sign owner and/or business proprietor up to five (5) calendar days after impoundment provided the sign owner and/or business proprietor pays double the initial permit fee. If not reclaimed within the time period, the City may dispose of the sign.

(g) ILLUMINATION

Illuminated mobile temporary signs shall be installed in accordance with all State and local electrical codes. An electrical inspection may be required upon placement of an illuminated mobile temporary sign. Electrical inspection fees shall be in accordance with Schedule D, Electrical Inspection Fees. No flashing or moving lights may be used on any mobile temporary sign.

(h) WIND LOADS

All mobile temporary signs and components shall be designed with temporary mounting methods or cantilever to withstand wind loads of up to 35 pounds per square foot.

(i) APPLICATION

No permit shall be issued until the proper application has been submitted by the sign owner and/or business proprietor and until all fees and deposit fees have been paid.

(j) CONVERSION

Trailer signs converted to permanent signs shall be considered ground/pole and/or wall signs and shall be installed in accordance with applicable provisions pertaining to permanent ground/pole signs and or all signs.

1440.20 MESSAGE UNIT

(a) Definition 'Message Unit' means a word, an abbreviation, a number containing up to seven (7) digits, a symbol, a geometric shape, a person's or firm's initials containing up to seven (7) letters. Letters or numbers four inches or smaller in height and punctuation marks are not counted in computing a number of message units. When a double faced sign or multiple faced sign is installed only the message units on one side of such sign shall be counted in computing the permitted number of message units.

(b) The following listed signs shall not contain in excess of a total of ten (10) message units per sign:

(1) Changeable copy sign
(2) Ground/pole sign
(3) Wall sign
(4) Canopy sign
(5) Projecting sign

(c) MESSAGE UNIT EXCEPTIONS

The following signs shall be exempt from the message unit limitations contained in this section, but subject to the other regulations.

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(1) Gasoline price signs. A gasoline service station shall be permitted signs on each pump island indicating the prices, the types of gasoline and the type of service.

(2) A business with frontage on more than one principal, minor or collector street may be permitted ten (10) additional message units on each additional street side.

(3) Business Name. If the name of the proprietor of a business exceeds ten (10) message units, said name may be displayed on each Principal, Minor or Collector street frontage provided no other message units are displayed by that business on said frontage.

(4) Signs not exceeding 2½ square feet which contain noncommercial messages including designation of rest rooms, telephone location, restrictions on smoking and door openings.

(5) Memorial signs on tablets, names of buildings and date of erection, when cut into masonry surface of a building or when constructed of bronze or other noncombustible material affixed to a building.

(6) Wall plaques or signs designating a building as a historical structure.

(7) Business signs containing information on credit cards or business affiliations.

(8) Political signs, advocating or opposing a candidate for public office or a position on an issue to be determined at an election.

(9) Signs authorized by the State of Michigan, or any of its agencies or political subdivisions.

1440.21 PROHIBITED SIGNS

Signs not specifically permitted by this Chapter are prohibited. For clarity, the following signs are identified as being illegal:

(a) Abandoned signs.

(b) Animated signs.

(c) Balloons, large inflated animals and other objects which are used as signs.

(d) Banner signs extending on or over public property, except as authorized by the City.

(e) Pennants, streamers, spinners and strings of lights, except "holiday" decorations.

(f) Roof signs, except mansard roof signs, which are regulated as wall signs.

(g) Signs which:

(1) Are unlawfully installed or erected.

(2) Are structurally unsafe or capable of causing electrical shock.

(3) Make use of the words "STOP", "LOOK", "DANGER", or any words or symbols which would tend to mislead or confuse vehicle operators.

(4) Obstruct or impair access to windows, doors, roofs, or other openings used for fire escape.

(5) Are attached to trees, utility poles, standpipes or gutter drains.

(6) Contains obscene matter.

(7) Contain flashing, blinking, moving or exposed incandescent lights, except moving message boards.

(8) If attached to a building, project above the parapet or roof line.

1440.22 BILLBOARDS

(a) STATEMENT OF PURPOSE

The following regulations are intended to protect the public health, safety and welfare by regulating the location, size, height, spacing and other features of billboards. These regulations are designed to ensure that billboards are not incompatible with other signs and land uses, and are not detrimental to the aesthetic quality of the community. Accordingly, billboards shall be permitted only in select nonresidential districts of the City subject to the regulations contained in this section.

(b) PERMITTED ZONING DISTRICTS

Billboards are permitted only in the F Commercial, G-2 Wholesale, H Light Industrial and I Heavy Industrial District, as well as unzoned areas if contiguous properties are zoned F, G-2, H or I, and all other requirements are met.

(c) AREA OF BILLBOARDS

(1) Billboards on a major/principal arterial as defined by the City's Master Plan, as mended from time to time, are allowed a maximum of 672 square feet of sign area. A temporary extension comprising 20 percent of the allowable area may be added providing the extension does not extend five feet beyond the perimeter of the sign.

(2) Billboards on a minor arterial as defined by the City's Master Plan, as amended from time to time, are allowed a maximum of 300 square feet of sign area.

(d) SETBACK

Billboards must comply with the set back requirements of the Zoning District in which they are located and no billboard or any portion thereof shall project over the public right-of-way or public property.

(e) LOCATION

Billboards are only allowed on major/principal arterials and on minor arterials as defined by the City's Master Plan, as amended from time to time.

(f) TEMPORARY PORTABLE BILLBOARD

Temporary portable billboards may be approved by permit for specified time periods.

(g) DISTANCE FROM OTHER BILLBOARDS

Billboards shall comply with spacing requirements of federal and state regulations, and in no case shall a billboard be permitted to be

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erected or constructed within four hundred (400') feet of any other billboard on the same side of the road.

(h) DISTANCE FROM RESIDENTIAL ZONING DISTRICT

No billboard will be allowed to be erected or constructed within seventy-five (75') feet of any parcel with residential zoning. This distance will be measured from the closest part of the billboard to the nearest residential zoning district property line.

(i) HEIGHT

The maximum height to the top of any billboard shall be thirty-five (35') feet. Unless otherwise prohibited, billboards located on interstate expressways shall be allowed to achieve a height of 25 feet above the pavement grade regardless of the total height of the billboard.

(j.) ILLUMINATION

The light rays from any billboard which is externally illuminated shall be cast directly upon the billboard and shall not be visible to motor vehicle operators, except as may be reflected from the face of the billboard. No flashing illumination is allowed.

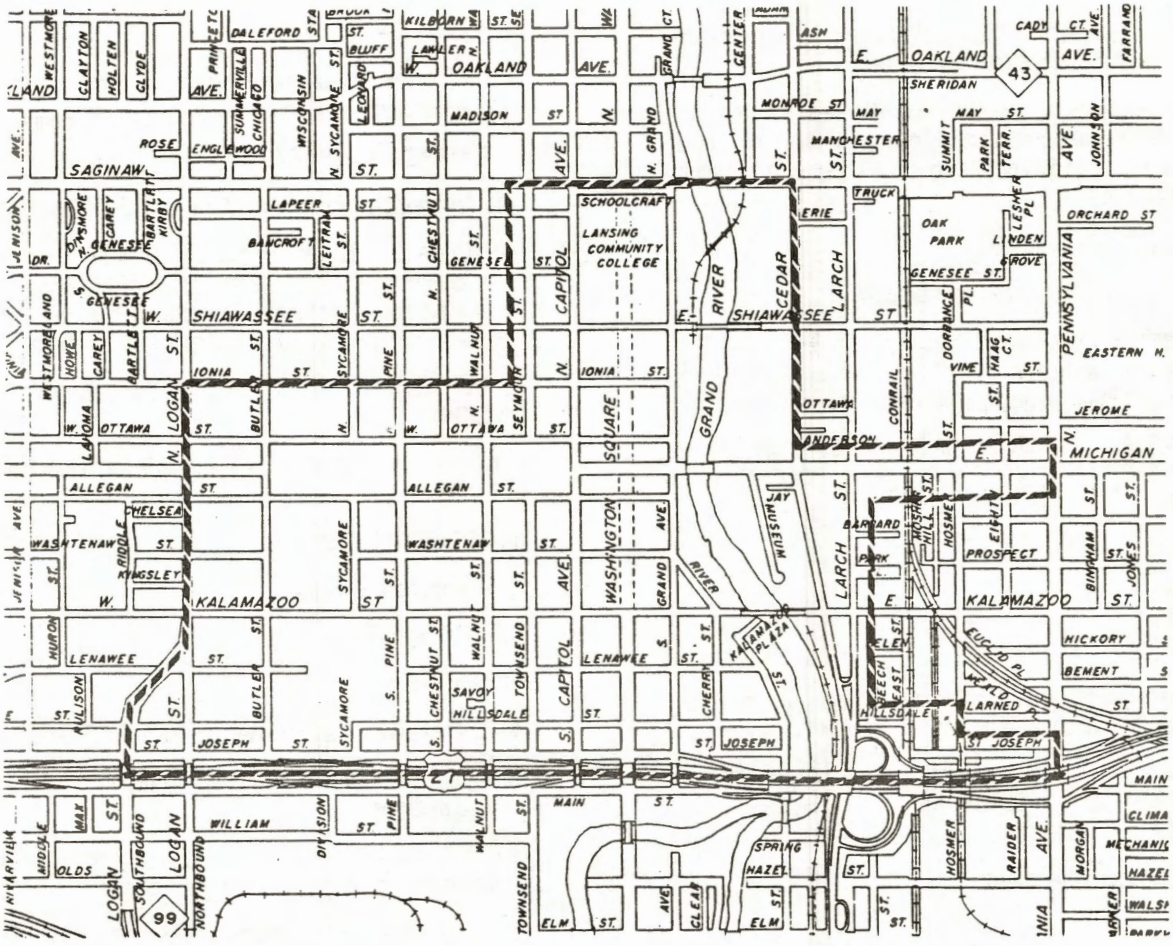
1440.23 CAPITOL CENTER DISTRICT

(a) PURPOSE/INTENT

The purpose/intent of the Capitol Center District is to place more restrictive sign regulation on the area associated with the Michigan State Capitol Building. This is a unique area within the State and the City and as such deserves sign regulations that will preserve vistas, protect the dignity of and enhance the visual cityscape of the Capitol.

(b) DISTRICT AREA

Beginning at the intersection of North Cedar and East Saginaw thence south along North Cedar Street to the north property line of lots on the north side of Michigan Avenue thence east along said property lines to Pennsylvania Avenue thence south along Pennsylvania Avenue to the south property lines of properties on the south side of East Michigan Avenue thence west along said property lines to the east property lines of properties on the east side of South Larch thence south along said properties to the north property lines of the properties on the north side of East Hillsdale thence east along said property lines extended to South Hosmer thence south along South Hosmer to the north property lines of the properties located on the north side of East St. Joseph thence east along said property line to Pennsylvania Avenue thence south along South Pennsylvania to I-496 thence west along I-496 to the southbound lane of King/Logan Blvd thence north along King/Logan Blvd to West Ionia Street thence east along West Ionia to the west property lines of the properties on the west side of Seymour Street thence north along said property line to West Saginaw Street thence east along West Saginaw to the point of beginning.



CAPITOL CENTER DISTRICT

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1440.24 SIGN REGULATIONS APPLICABLE TO THE CAPITOL CENTER DISTRICT

No sign shall be erected or constructed within the Capitol Center District that does not comply with the general rules and regulations contained in this Chapter or any special regulation pertaining to the Capitol Center District.

(a) TEMPORARY SIGNS

(1) MOBILE TEMPORARY SIGNS

All mobile temporary signs are prohibited unless permitted by the City.

(2) BANNERS

Duration, location, size and design of banners over public right-of-way are allowed only with approval of the City.

(b) WALL SIGNS

A wall sign or a combination of two wall signs shall be allowed based upon the following formula in the zoning districts of D-1, E-1, E-2, F, G-1, G-2, H & I.

(1) Fifteen percent (15%) of the first story facade of the building, not to exceed forty (40) square feet.

(2) If a ground/pole sign is erected, only one wall sign shall be permitted.

(3) Properties with more than one (1) street frontage shall be allowed a maximum of forty (40) square feet.

(4) Properties which, in unique circumstances, require larger wall signs may appeal to the Board of Zoning Appeals. This special approval variance can only grant larger wall signs up to maximum city-wide limitations.

(c) GROUND/POLE SIGNS

(1) One (1) ground/pole sign per property.

(2) Dimensions for ground/pole signs in the E-1, E-2, F-1, F, G-1, G-2, H, and I zoning districts shall be based upon the following table (excerpted from ground/pole city-wide regulations).

MAX. AREA SQ. FOOTAGE	MIN. SETBACK FOOTAGE	MAX. HEIGHT FOOTAGE
25	5	5
26	6	6
27	7	7
28	8	8
29	9	9
30	10	10

(3) Dimensions for ground/pole signs in the D-1 Professional Office Zoning District shall be based on the following:

MAXIMUM SIGN AREA (SQ. FT.)	MINIMUM SETBACK	MAXIMUM HEIGHT
PARCEL AREA: Less than ½ acre		
15	10	6
20	15	6
PARCEL AREA: ½ acre or more		
25	5	5
26	6	6
27	7	7
28	8	8
29	9	9
30	10	10

(4) Properties which, in unique circumstances, require larger ground/pole signs may appeal to the Board of Zoning Appeals. This approval can only grant ground/pole signs up to the maximum city wide limitations.

(d) PROJECTING SIGNS

(1) One (1) projecting sign per structure shall be permitted subject to the following conditions:

A. Four feet maximum projection.

B. May project over the right-of-way with approval of the Department.

C. Property is unable to erect a ground/pole sign because it cannot meet the minimum ground/pole sign restrictions.

D. The maximum square footage of a projecting sign is 16 square feet and the area of the projecting sign will be deducted from the permitted maximum wall sign area.

(e) PAINTED WALL SIGNS

(1) Painted wall signs are permitted provided they comply with the same standards as other wall signs.

(f) AWNING/CANOPY SIGNS

(1) Awning/canopy signs shall be regulated as wall signs.

(2) The square footage of the sign shall be determined by striking straight lines around the extremities of the text or message to form a square or rectangle. The total area of the awning or canopy shall not be used in computing the size of the sign.

(g) INSTITUTIONS/MULTIPLE RESIDENTIAL IDENTIFICATION SIGNS

This type of sign is regulated the same as in the remainder of the City.

(h) PROHIBITED SIGNS

(1) Permanent Billboards

(2) Roof signs

(3) Parapet signs

1440.25 GATEWAY AND ENTRANCE MARKER SIGNS

Gateway or entrance marker signs within the public right of-way in boulevard medians:

(a) The gateway sign must meet the conceptual design approval of the Planning Board and City Council.

(b) The sign and land must be retained in ownership by the City. All construction, utility extension, maintenance or repair of the sign

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and land, insurance and other requirements shall be the responsibility of the developer/owner.

(c) Appropriate landscaping must be installed and maintained by the developer/owner according to a plan submitted to and approved by the Planning Division.

(d) Appropriate insurance and indemnity policies must be provided and continued against City liability.

(e) All proposed advertising shall be limited to fifty percent (50%) of the total sign face.

(f) All final advertising formats or subsequent changes shall be approved by the Planning Division.

(g) All requirement of the owner/developer are non-assignable and nontransferable in whole or in part.

1140.26 SIGNAGE IN SHOPPING CENTERS AND PLANNED COMMERCIAL CENTERS

(a) DETERMINATION

Any building with two (2) or more commercial establishments that share a common parking area shall be considered a shopping center.

(b) TYPES OF SIGNS PERMITTED

Ground/pole, wall, canopy, temporary and window signs are permitted in shopping centers and planned commercial centers.

(c) NUMBER OF WALL SIGNS

Each establishment in a shopping center shall be allowed one (1) wall sign. The area of the wall sign shall be determined from the lineal footage of the portion of the building's facade that the establishment occupies.

(d) NUMBER OF GROUND SIGNS

A shopping center located on the corner of a major or minor arterial is allowed one (1) ground/pole sign on each street frontage.

1440.27 PUBLIC ART EXEMPTION

Pictorial wall murals and other graphic or artistically decorative artworks of a non-commercial nature shall be exempt from regulation by this Chapter.

Ordinance was given immediate effect.

CONSIDERATION OF LATE ITEMS

1/ Letter from Cedarway Free Methodist Church requesting Extension of Time Period for Payment of Special Assessment

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ Letter from Esther Petersen of 4317 S. Cedar Street regarding an Assessment

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ Resolution Accepting Federal Grant Funds for a Drug Apprehension and Forfeiture Program

(HANDLED AS RESOLUTION # 543)

4/ Resolution Accepting Federal Grant Funds for a Street Level Narcotics Enforcement Program

(HANDLED AS RESOLUTION #544)

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

To excuse Councilmember Adado from tonight's session.

Carried unanimously.

PUBLIC MAY COMMENT

Frank Curtis of 1137 W. Allegan stated that he felt incumbents should be voted out of office in the November election.

David Klodt of 3330 S. Pennsylvania, Apartment #12, stated that he felt the River Street lot should remain for parking and should not be turned into a park.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that he would have a report for Council on the River Street lot. He reported that the administration had checked into Councilmember Schmidt's request for information on tall grass in the South Pennsylvania/I-496 area. The Mayor stated that this is under the jurisdiction of the Michigan Department of Transportation and that they will try to do one more mowing in this area this year. The Mayor urged all residents to purchase smoke detectors, even if they are renting. The Mayor extended his thanks to Councilmembers for the passage of the Sign Code Ordinance.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt mentioned that she had attended a Fire Prevention Open House at Station #1 and that she also wished to urge residents to acquire smoke detectors for their homes or apartments.

Councilmember Benavides requested the administration to look into the traffic situation at Waverly and Holmes as there seem to be a lot of accidents at this location. Councilmember Benavides thanked Jo Flaherty of the Mayor's Staff for her assistance with a problem he had reported.

Councilmember Ford requested that an update be provided to residents of King/Logan between the freeway and Allegan Street as to the status of purchase of their home for the Capitol Loop project.

Councilmember Crawford stated that the Economic Development Committee will be meeting on Thursday before the Committee of the Whole. He stated that he agrees that the River Street lot should remain as a parking lot.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:45 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, October 15, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
October 15, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann and Schmidt

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

CONSIDERATION OF LATE ITEMS

By Councilmember Lindemann:

To accept the following under suspension of the rules:

1/ Letter from Gregory Byrd regarding Purchase of Property in the 700 Block of South Hayford Street

2/ Resolution of Tribute to Johnathon Donald Agrusa

3/ Resolution Recognizing the 70th Anniversary of the Lansing Business and Professional Women's Association

4/ Letter from Larry McDermott of Booth News Service requesting Reconsideration of Request for Expansion of their Parking Lot

Carried unanimously; Councilmember Adado absent.

PUBLIC HEARINGS

There were no scheduled Public Hearings.

PUBLIC COMMENTS

There were no public comments.

SPECIAL CEREMONIES

Mayor McKane presented a Special Award from the Michigan Parks and Recreation Association for the River Trail Project to City Clerk, James D. Blair.

Council President Belen presented a resolution of tribute to Ray Feldpausch who is retiring after 30 years of service with the City.

COMMUNICATIONS AND PETITIONS

A. Claim from Lillian Mutter of 6596 E. GaLway Circle for over $1,000.00

(REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES)

B. Letter from Continental Cablevision informing of the Addition of Channel 53 to the Cable TV Network

(RECEIVED AND PLACED ON FILE)

C. Petition received from residents of Baker/Bailey area Requesting Establishment of Barricades

(REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY)

D. Letter from Esther Petersen of 4317 S. Cedar Street protesting Assessment

(REFERRED TO THE CITY ATTORNEY)

E. Letter from Lansing Mercy Ambulance Service Appealing Rejection of Ambulance Transport Fee for James Sanchez on 4/24/90

(REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES)

F. Letter from Linda Barberio of 926 Stanley Street Appealing Denial of Claim

(REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES)

G. Petition received from Residents of East Thomas Street requesting a Stop Sign at Thomas and Gary Street

(REFERRED TO THE COMMITTEE ON PUBLIC SAFETY)

H. Letter from Convention/Visitors Bureau of Greater Lansing requesting Non-Profit Status

(REFERRED TO THE CITY ATTORNEY)

I. Letter from Cherry Hill Neighborhood Association supporting Removal of Parking in River Street Park

(REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT)

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed all of his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:
Resolution #565
October 15, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

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The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Patrick J. Mayer, Walter Lee Mixon, Kenneth Robert Korkoskie, Lloyd Russell Teets
HEALTH CLUB: Body Action USA
SIGN ERECTOR: Granger Construction Co.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 8, 1990 For Review

(RECEIVED AND PLACED ON FILE)

C. Information Received from Councilmembers:

Affidavit of Disclosure received from Councilmember Canady

(REFERRED TO THE BOARD OF ETHICS)

D. Letters from the Mayor re:

1. River Street Park Parking Lot Removal

(REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT)

2. Bond Sale—Environmental Bond Program

(REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS)

3. Speed Survey of Thomas at Gary Streets

(REFERRED TO THE COMMITTEE ON PUBLIC SAFETY)

4. Census Resolution (U.S. Conference of Mayors)

(REFERRED TO THE COMMITTEE ON GENERAL SERVICES)

5. Fast Trak Shuttle Lot Usage Update

(RECEIVED AND PLACED ON FILE)

6. Traffic Control: Harding Avenue & Lindbergh Drive

(REFERRED TO THE COMMITTEE ON PUBLIC SAFETY)

7. Traffic Control: Lindbergh Drive & Pershing Drive

(REFERRED TO THE COMMITTEE ON PUBLIC SAFETY)

8. Sole Source Procurements

(REFERRED TO THE COMMITTEE ON WAYS AND MEANS)

9. State Equity Fund Grant Recommendation

(REFERRED TO THE COMMITTEE ON WAYS AND MEANS)

COMMITTEE REPORTS

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request for the installation of a four-way stop at the intersection of Creston Avenue and Howe Street reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request for a four-way stop at the intersection of Creston Avenue and Howe Street be denied. The committee has reviewed the report from the administration and concurs that the citizen request for the installation of a four-way stop at the intersection of Creston Avenue and Howe Street be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmember Adado absent

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request for the installation of a three-way stop at the intersection of Creston Avenue and Fairfield Avenue reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request for a three-way stop at the intersection of Creston Avenue and Fairfield Avenue be denied. The committee has reviewed the report from the administration and concurs that the citizen request for the installation of a three-way stop at the intersection of Creston Avenue and Fairfield Avenue be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmember Adado absent

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install a three-way stop at the intersection of Clippert Street and Fairway Lane reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request for a three-way stop at the intersection of Clippert Street and Fairway Lane be denied. The committee has reviewed the report from the administration and concurs that the citizen request for a three-way stop at the intersection of Clippert Street and Fairway Lane be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

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Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmember Adado absent

RESOLUTIONS

Resolution #566
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marshall A. Peters filed a claim against the City for $3,256.00 as a cash settlement in a dispute over procedures used in an abandoned vehicle auction; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, Mr. Peters appeared before the General Services Committee, furnishing testimony and evidence to support his contention that the procedures used in the auction permitted a high bidder on a particular vehicle to pay with a personal check, in violation of the printed notice of the auction; and

WHEREAS, Mr. Peters maintained that, as second-high bidder, he should have been awarded the vehicle for his legitimate bid; and

WHEREAS, after discussion with the Attorney's staff, the Committee recommends making a settlement offer to the claimant in the amount of $302.00 which is the difference between the successful high bidder and Mr. Peters' bid;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the City Attorney to make an offer to Marshall Peters in the amount of $302.00 to settle the claim, such offer to be valid for 14 days following adoption of this resolution; and

BE IT FURTHER RESOLVED the City Attorney is further authorized to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

YEAS: Belen, Benavides, Canady, Ford, Lindemann, Schmidt

NAYS: Crawford
ABSENT: Adado

Resolution #567
BY THE ECONOMIC DEVELOPMENT COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council granted an Industrial Facilities Exemption Certificate #80-406 in 1980 to Lindell Drop Forge, 2830 S. Logan Street, Lansing, Michigan, for a period of twelve years; and

WHEREAS, since Lindell Drop Forge has closed their factory at 2830 S. Logan Street, and are no longer in compliance with the original intent of the tax abatement granted to that facility; and

WHEREAS, this Council finds this referenced property no longer meets the requirements of P.A. 198 of 1974; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on this revocation of the Industrial Facilities Exemption Certificate granted to Lindell Drop Forge; and

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk mail by certified letter to the property owner of record as identified in the City Assessor's records notice of the public hearing regarding the revocation of the certificate; and, in addition, that notice of the public hearing be published in a publication of general circulation in the City; and

BE IT FURTHER RESOLVED, that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District; and

BE IT FINALLY RESOLVED, that such hearing shall be held in the Board of Education Meeting Room at the Lansing School District Administration Building on Monday, November 5, 1990 at 7:00 p.m.

8y Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #568
BY THE ECONOMIC DEVELOPMENT COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council granted a Commercial Facilities Exemption Certificate #85-012 in 1985 to Anthony T. Randall, 303 S. Washington Square, Lansing, Michigan, for a period of twelve years; and

WHEREAS, the granting of this certificate was contingent upon the condition that a substantial amount of remodeling be done to the structure at 303 S. Washington Square; and

WHEREAS, a review of the referenced property revealed the improvements were never completed; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on this revocation of the Commercial Facilities Exemption Certificate granted to Anthony T. Randall; and

NOW, THEREFORE, BE IT RESOLVED that the City Clerk mail by certified letter to the property owner of record as identified in the City Assessor's records notice of the public hearing regarding the revocation of the certificate; and, in addition, that notice of the public hearing be published in a publication of general circulation in the City; and

BE IT FURTHER RESOLVED that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Development District; and

BE IT FINALLY RESOLVED that such hearing shall be held in the Board of Education Meeting Room at the Lansing School District Administration Building on Monday, November 5, 1990 at 7:00 p.m.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #569
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, The P.S. Partnership, has requested that the City

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Council of Lansing establish a Lansing Industrial Development District (IPR-7-90) pursuant to Act 198, 1974, on property known as Contec Center, on Jolly Road, Lansing, Michigan, more fully described on Attachment A; and

WHEREAS, due notice has been given for a public hearing on the proposed establishment of said District; and

WHEREAS, at such hearing held on the 8th day of October, 1990, all parties interested therein were heard and given due consideration; and

WHEREAS, this Council finds that this property is properly zoned and otherwise meets the requirements of P.A. 198 of 1974 and this Council's policies; and construction, acquisitions, alterations or installation of a facility has not commenced at the time of filing the request to establish this district; and

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing hereby establishes a Lansing Industrial Development District IPR-7-90 on the above described property.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

ATTACHMENT "A"

LEGAL DESCRIPTION THAT PART OF THE EAST ½ OF THE WEST ½ OF THE SE ¼ OF SECTION 34, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN. BEGINNING ON THE SOUTH LINE OF SAID SECTION AT A POINT EAST 1065.09 FEET FROM THE SOUTH ¼ CORNER THEREOF, SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE PENN CENTRAL RAILROAD RIGHT OF WAY 100 FEET WIDE, RUNNING THENCE ON SAID RIGHT OF WAY LINE N24 DEGREES 19'15" W 973.23 FEET TO THE WEST LINE OF SAID EAST ½ OF THE WEST ½, THENCE ON SAID WEST LINE N 0 DEGREES 16'03" E 1197.9 FEET TO A POINT 520.0 FEET SOUTH OF THE EAST-WEST ¼ LINE OF SAID SECTION 34, THENCE ON A LINE 520.0 FEET SOUTH OF THE PARALLEL WITH SAID ¼ LINE N 89 DEGREES 59'08" E 660.18 FEET TO THE EAST LINE OF SAID WEST ½ OF THE SE ¼, THENCE ON SAID EAST LINE S 0 DEGREES 02'15" W 1735.0 FEET TO THE NORTHWEST CORNER OF BOETTCHER'S SUBDIVISION AS RECORDED IN LIBER 14 OF PLATS ON PAGE 47, INGHAM COUNTY RECORDS, THENCE ON THE WEST LINE OF SAID SUBDIVISION S 1 DEGREE 25' W 350.01 FEET TO THE SOUTH LINE OF SAID SECTION 34, THENCE WEST 255.17 FEET TO THE POINT OF BEGINNING, SUBJECT TO THE RIGHT OF WAY OF JOLLY ROAD AND ANY OTHER RIGHTS OF WAY OR EASEMENTS OF RECORD, SAID DESCRIBED PARCEL CONTAINING 27.64 ACRES OF LAND MORE OR LESS.

Resolution #570
BY COMMITTEE ON WAYS AND MEANS 10/15/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-91
That the following transfer be approved:

$410.00 from Res. for Cont.
Bgt. Ctrl. Acct. A/C 101-173901-992200-13055
410.00 to City Coun./Bgt. Ctrl. Acct.
A/C 101 112101-992200-00000
(Cost overrun on computer cabling installation (101-112101-746300-0) Project Maintenance.)

The Balance in the Reserve for Contingency Fund after this transfer is $289,405.00.

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #571
BY: Councilmember Canady

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Woodgate Associates, through All State Management Co., Inc., and Cedarway Free Methodist Church, as taxpayers, petitioned City Council to extend payments for certain special assessments for their property; and,

WHEREAS, Section 1026.07(b) of the Lansing Code of Ordinances permits City Council to grant an extension of time for payment of special assessments by any taxpayer;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 1026.07(b) of the Lansing Code of Ordinances:

a) Woodgate Associates, c/o All State Management Co., Inc., shall have a maximum of seven (7) years to pay its special assessment on Parcel No. 3305-09-251-253-4 for curb and sidewalk in the amount of $16,423.95, plus interest;

b) Cedarway Free Methodist Church shall have a maximum of five (5) years to pay its special assessment on Parcel No. 3301-33-430-011-8 for curb, gutter and storm sewer in the amount of $2,611.67, plus interest.

BE IT FURTHER RESOLVED, that the City Attorney prepare the appropriate documents for execution by the above named parties; and

BE IT FINALLY RESOLVED that upon proper execution of the extension agreement, the City Assessor shall prepare and send the taxpayers a bill consistent with this resolution with the first installment due and payable ninety (90) days from the date of the original special assessment bill and including interest at a rate of 7% per annum computed in the same manner that interest is provided for by ordinance for other installment payment of assessments.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #572
August 23, 1990
COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-8-90

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1015/1017 North Cedar Street

WHEREAS Johnny E. Davis has requested a Special Land Use permit for the property located at 1015/1017 North Cedar Street, and more particularly described as:

Commencing 6 rods south of the Northeast corner of Lot 6; thence south 3½ rods; thence west 3 rods, 18 links; thence north 8.25 feet; thence west 5 rods, 11 links; thence north 49½ feet; thence east 9 rods, 4 links to the place of beginning, Block 20, Original Plat, City of Lansing, Ingham County, Michigan

to establish an open storage yard for primarily metal and wood recyclable products and disassembly of some items prior to recycling in conjunction with his rubbish hauling business; and

WHEREAS the Planning Board, at their meeting on July 17, 1990, held a public hearing at which time only Mr. Davis spoke. The Board also received three communications requesting denial of the request; one from a neighbor, a petition with 14 signatures and from the North Lansing Citizen Association; and

WHEREAS the Board, after careful consideration of the request, unanimously recommended denial of the Special Land Use request; and

WHEREAS the Physical Development Committee of City Council concurred therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby denies the request for a Special Land Use permit for the property at 1015/1017 North Cedar Street for an open storage yard and disassembly of materials. In making their decision the City Council considered the following:

1. The proposed storage yard is not a use which is designed, constructed, operated and maintained in a manner harmonious with the character of the adjacent residential properties.

2. The proposed storage yard may adversely impact the essential character of the surrounding residential properties.

3. The proposed storage yard may adversely interfere with the general enjoyment of the adjacent residential properties.

4. The proposed storage yard does not represent an improvement to the use or character of the subject property and the surrounding area in general and is not in keeping with the natural environment of the site.

5. The proposed storage yard may be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of noise and/or odor.

6/7. The proposed storage yard is adequately served by public services and facilities and will not place demands on public services and facilities in excess of current capacity.

8. The proposed storage yard involved uses which may not be operated consistent with the intent and purpose of the "H" Light Industrial District of the Zoning Code but does meet the objectives of the current comprehensive plan.

9. The proposed special land use can meet the dimensional requirements of the "H" Light Industrial District. By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

NOTE: ACT-26-90 on agenda was pulled and returned to the Committee on Physical Development.

Resolution #573
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

WHEREAS, at the request of the City of Lansing Public Service Department, the Board of Water and Light, a Michigan Municipal Utility, has granted an easement for a road turnaround at the west end of Dell Road and described as follows:

EASEMENT FOR TURNAROUND

EASTERLY 45 FEET OF THE SOUTHERLY 50 FEET OF PART NE 1/4 COM SW COR LOT 9 SUPERVISORS PLAT NO. 2 OF DELHI TWP, TH W OF N LINE DELL RD EXTD 134.53 FT TO S LY LINE RAMP ½ I-96, NE LY ON R/W 192 FT +/- TO W PLAT LINE, S 137 FT +/- TO BEG SEC 10 T3N R2W.

WHEREAS, said Easement has been approved as to form by the City Attorney.

I hereby certify that funds are available for the City of Lansing's payment of the $1.00 for said easement in account #403-933601-974100-42538. Charles S. Remenar, Deputy City Controller

NOW, THEREFORE BE IT RESOLVED that the City of Lansing accept said Easement Grant and that the City Clerk be directed to record same with the Ingham County Register of Deeds.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #574
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1233/1235 North Walnut Street, legally described as:

3301 09 303 191
N 74 ft of E 85 ft of Lots 1 & 2, Block 28, Original Plat

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 23, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan: and

WHEREAS, the City Council soheduled a hearing on September 24, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

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NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within ninety (90) days from the date of this resolution October 15, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #575
BY COUNCILMEMBER TONY BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the United Nations, celebrating its 45th Anniversary in 1990, has been the leading advocate of children's rights for the past 30 years; and

WHEREAS, through October 9th, 1990, the Convention on the Rights of the Child, a 35-point document covering children's social, economic, cultural, civil and political rights, has been ratified by fifty-two countries making this Convention International Law more quickly than any other human rights legislation in history; and

WHEREAS, the General Assembly of the United Nations, continuing to promote and advance the well-being of children, has declared 1990 as International Literacy Year; and

WHEREAS, over 1,000 communities across the country will be taking part in the 1990 U.N. Day Observance, kicking off the decade-long campaign to eradicate literary by the year 2,000.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby encourages the citizens of Lansing to participate in the local observance of United Nations Day on Wednesday, October 24, 1990, beginning at 11:30 a.m. in the City Hall courtyard.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #576
BY COUNCILMEMBER TONY BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes co-sponsorship of the U.N. Day activities scheduled for Wednesday, October 24, 1990; and

BE IT FURTHER RESOLVED that costs incurred are chargeable to the City Council Community Promotions Expense Account.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #577
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Administration has negotiated an agreement in the form of a memorandum of understanding with:

- City Unit Local 2256—UAW,
- International Brotherhood of Teamsters, Chauffers, and Warehousemen, Local 580, Supervisory and Clerical, Technical, and Professional Bargaining Units,
- Capitol City Lodge 141, Fraternal Order of Police, 911 Operators Unit,
- Capitol City Lodge 141, Fraternal Order of Police, Non-Supervisory Unit,
- Capitol City Lodge 141, Fraternal Order of Police, Supervisory Unit, and
- Capitol City Lodge 141, Fraternal Order of Police, Parks Security Unit,

regarding the status of benefits for bargaining unit employees during military leave; and

WHEREAS, the duration of each memorandum is September 1, 1990, through December 31, 1990; and

WHEREAS, the Committee of the Whole has reviewed the provisions of the agreement including financial impact;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby ratifies the attached Memorandum of Understanding on Status of Benefits During Military Leave with the above specified bargaining units; and

BE IT FURTHER RESOLVED the Administration is requested to monitor the status of military and dependent benefits, and immediately report back to the Committee of the Whole any recommended changes to this agreement designed to improve protection of City employees who are called to active duty in the military, as well as their families.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Memorandum of Understanding
Status of Benefits During Military Leave

The City of Lansing and the Lansing City Unit Local 2256, UAW express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

It is the intent of this memorandum to provide a uniform policy for all employees on the status of benefits during military leave. This

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policy is intended for a limited time period and should not be construed to permanently modify the existing collective bargaining agreements between the parties nor be applied to any non-military leave of absence.

1. Any employee (covered by the Leave provisions of the collective bargaining agreement between the parties) who is called to active duty by the Armed Forces of the United States and makes proper application for leave prior to January 1, 1991 shall have such request granted and shall be accorded the following:

A. Health and Dental insurance coverage for employee and his/her dependents shall continue at the City's expense for the first ninety (90) days of such leave;

B. Health and Dental insurance may be continued thereafter by the employee by making arrangements with the Finance Department to make payments therefor;

C. Current life insurance coverage, excluding AD & D, for the employee shall be extended at the City's expense up to a period of six (6) months. Current employee paid life insurance coverage for dependents, if any, shall be extended at the employee's expense up to a period of six (6) months.

D. Upon return from leave, reinstatement in the health, dental and life insurance plans shall be effective immediately upon written notification by the employee of his or her date of returning to City employment.

E. Military service during said leave shall be credited to the member's retirement service credit account in the manner as if the member had served the City without interruption, but in no case shall more than five (5) years of service shall be credited;

F. Contributions to the retirement service credit fund shall be suspended until the date of reemployment of the member.

G. Seniority of the employee shall continue to accumulate;

H. Any benefits incidental to seniority shall be provided to the returning employee;

I. The employee shall be reinstated in his/her former job; provided that:

1) the employee has documentation showing release from active status,

2) the employee applies for reemployment within one (1) year of his/her release from active status, and

3) the employee is still qualified to do his/her former job.

2. The duration of this memorandum shall be from September 1, 1990 through December 31, 1990.

3. Upon agreement of both parties this memorandum may be renewed and/or revised to reflect the need of any similar future situations.

IN WITNESS WHEREOF, the parties have set their hands this _____ day of October, 1990.

FOR THE CITY:
BY ITS MAYOR:

Terry J. McKane

FOR THE UNION:
BY ITS PRESIDENT:

BY ITS CLERK:

James D. Blair

APPROVED AS TO FORM BY CITY ATTORNEY

CERTIFICATION OF AVAILABLE FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Memorandum of Understanding
Status of Benefits Durinq Military Leave

The City of Lansing and the International Brotherhood of Teamsters, Chauffeurs & Warehousemen, Local 580, Supervisory and Clerical, Technical, Professional Units express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

It is the intent of this memorandum to provide a uniform policy for all employees on the status of benefits during military leave. This policy is intended for a limited time period and should not be construed to permanently modify the existing collective bargaining agreements between the parties nor be applied to any non-military leave of absence.

1. Any employee (covered by the Leave provisions of the collective bargaining agreement between the parties) who is called to active duty by the Armed Forces of the United States and makes proper application for leave prior to January 1, 1991 shall have such request granted and shall be accorded the following:

A. Health and Dental insurance coverage for employee and his/her dependents shall continue at the City's expense for the first ninety (90) days of such leave;

B. Health and Dental insurance may be continued thereafter by the employee by making arrangements with the Finance Department to make payments therefor;

C. Current life insurance coverage, excluding AD & D, for the employee shall be extended at the City's expense up to a period of six (6) months. Current employee paid life insurance coverage for dependents, if any, shall be extended at the employee's expense up to a period of six (6) months.

D. Upon return from leave, reinstatement in the health, dental and life insurance plans shall be effective immediately upon written notification by the employee of his or her date of returning to City employment.

E. Military service during said leave shall be credited to the member's retirement service credit account in the manner as if the member had served the City without interruption, but in no case shall more than five (5) years of service shall be credited;

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F. Contributions to the retirement service credit fund shall be suspended until the date of reemployment of the member.

G. Seniority of the employee shall continue to accumulate;

H. Any benefits incidental to seniority shall be provided to the returning employee;

I. The employee shall be reinstated in his/her former job; provided that:

1) the employee has documentation showing release from active status,

2) the employee applies for reemployment within one (1) year of his/her release from active status, and

3) the employee is still qualified to do his/her former job.

2. The duration of this memorandum shall be from September 1, 1990 through December 31, 1990.

3. Upon agreement of both parties this memorandum may be renewed and/or revised to reflect the need of any similar future situations.

IN WITNESS WHEREOF, the parties have set their hands this _____ day of October, 1990.

FOR THE CITY:
BY ITS MAYOR:

_____
Terry J. McKane

FOR THE UNION:
BY ITS PRESIDENT:

_____

BY ITS CLERK:

_____
James D. Blair

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APPROVED AS TO FORM BY CITY ATTORNEY

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CERTIFICATION OF AVAILABLE FUNDS BY CITY CONTROLLER

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LABOR RELATIONS DEPARTMENT

Resolution #578
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Convention/Visitors Bureau of Greater Lansing has requested a resolution of recognition as a non-profit organization operating in the community, for the purpose of obtaining a gaming license from the Lottery Bureau of the State of Michigan;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Convention/Visitors Bureau of Greater Lansing as a non-profit organization operating in Lansing.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #579
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Raymond J. Feldpausch became a City employee on December 19, 1960, following graduation from Fowler High School in 1955 and his wedding to his lovely wife Doris on June 29, 1957; and

WHEREAS, Ray is retiring after 30 years of service with the City, all of which has been in the Police and Fire repair service, including the past 11 years as Superintendent of the Central Garage; and

WHEREAS, under Ray's management, the automotive and fire apparatus maintenance operations were consolidated in one site to improve efficiency, and the automated gasoline system and the computerized fleet management system were instituted, saving the City thousands of dollars due to improved procedures;

WHEREAS, over these years Ray and Doris have raised five children, with two grandchildren (so far), and Ray has been a dedicated member of St. Therese Church, involving himself in a variety of church activities and volunteering for community programs such as Meals on Wheels; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 15th Day of October, 1990, hereby commends RAYMOND J. FELDPAUSCH for his 30 years of outstanding service to the Citizens of Lansing; and

BE IT FURTHER RESOLVED the members of Council wish Ray and Doris many fulfilling years of happiness and good health as they begin their retirement.

By Councilmember Schmidt:

Carried unanimously; Councilmember Adado absent

Resolution #580
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, POLISH FALCONS NEST 652—LANSING was founded on May 16, 1915, led by first president John Galka; and

WHEREAS, due to the initiative of Mrs. Theodozia Katozynski (Chmielewicz), mixed membership was organized; and

WHEREAS, the primary objectives of this organization were to be active with a Children's Drill Class and to be involved in the community by building a Sokolnia, which has since been incorporated and now exists as the Polish Federated Home; and

WHEREAS, in the 75 years of Polish Falcons Nest 652's existence, members have shared their Polish traditions and heritage while helping in our community during World Wars I and II and participating in many city-wide events; and

WHEREAS, members also founded and helped in the building of St. Casimir's Parish;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends and congratulates the officers and members of Polish Falcons Nest 652 for 75 years of outstanding service to Lansing.

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #581
BY THE COMMITTEE ON PUBLIC SAFETY

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RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-094, which authorizes the installation of stop signs on Thomas Street at the intersection of Gary Avenue creating a four-way stop.

By Councilmember Ford:

To amend resolution by adding that these will be temporary stop signs for sixty days and that the Traffic Board is to provide the Committee on Public Safety with a recommendation regarding future handling within forty-five days.

Carried unanimously; Councilmember Adado absent

By Councilmember Crawford:

That the amended resolution be adopted.

Carried unanimously; Councilmember Adado absent

Resolution #582
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-080, which authorizes the installation of stop signs on Wayburn Road at Strathmore Avenue, 90-081, which authorizes the installation of no parking zones on Strathmore Avenue east and west of Wayburn Road, and 90-082, which authorizes the installation of a no parking zone on Wayburn Road north of Strathmore Avenue.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #583
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-064 which authorizes the installation of a no parking zone on the east side of River Street in the vicinity of the Police Department storage area.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #584
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-084, which authorizes the installation of a no parking zone on Thompson Street south of Douglas Street.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #585
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-078 and 90-079 which authorize the installation of no parking zones near the intersection of Conrad Avenue and Richwood Street.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #586
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-086. which authorizes the changing of the maximum time allotted on the parking meters on Verlinden Street from thirty (30) minutes to sixty (60) minutes.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #587
BY COUNCILMEMBER PATRICK LINDEMANN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Johnathon Donald Agrusa has contributed countless volunteer hours to the improvement of the eastside neighborhood known as Sparrow Estates; and

WHEREAS, John's efforts have included the neighborhood clean-up and beautification project, the Bingham School Family Camp-out, painting houses, and assisting the elderly with home repair projects, often at personal expense; and

WHEREAS, John is currently working with Lansing Police Department Officer Don Christy in organizing and supervising a "High Adventure Club" for Bingham School 4th and 5th grade students; and

WHEREAS, John's dedication and sincerity is evidenced by his recent purchase of a home located in the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, sitting in regular session this 15th day of October, 1990, hereby commends Johnathon Agrusa for his service to the Lansing community; and

BE IT FURTHER RESOLVED the Lansing City Council wishes John many years of health and happiness and the fulfillment of all his dreams.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

Resolution #588
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing Business and Professional Women are celebrating the 70th Anniversary of their founding at a luncheon on Saturday, October 20, 1990; and

WHEREAS, throughout the past 70 years, this organization has built an outstanding record of achievement toward its goal of

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advancing women in the business community; and

WHEREAS, the members of Lansing Business and Professional Women are also strong advocates of good government, and have involved themselves in the political process at the local, state and national levels;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 15th Day of October, 1990, hereby salutes the LANSING BUSINESS AND PROFESSIONAL WOMEN, on the occasion of the 70th Anniversary of their founding, for their many contributions to improve the quality of life in Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Letter from Gregory Byrd regarding Purchase of Property in the 700 Block of South Hayford Street

(REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT)

2/ Resolution of Tribute to Johnathon Donald Agrusa

(HANDLED AS RESOLUTION #587)

3/ Resolution Recognizing the 70th Anniversary of the Lansing Business and Professional Women's Association

(HANDLED AS RESOLUTION #588)

4/ Letter from Larry McDermott of Booth News Service requesting Reconsideration of Request for Expansion of their Parking Lot

(REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT)

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

That Councilmember Adado be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Muhammed Frank Curtis of 1137 W. Allegan commented that he did not feel it appropriate that the Federal Government is making restitution to some Japanese citizens held in prison camps when Afro-Americans have been persecuted for 500 years.

Harold Leeman of 525 N. Francis asked when the 10th Floor Council facilities will be completed so Council meetings can return to this site. No date could be provided.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that residents can leave bags of leaves out for collection by the Public Service Department if they leave at least one City garbage bag with the bags of leaves. The Mayor also announced that South Washington Avenue will be closed the week of October 22, 1990, between Elm Street and Baker while a railroad crossing is being reconstructed. The Mayor also extended thanks to the Council for passage of the resolution regarding military leave benefits.

REMARKS BY COUNCILMEMBERS

Councilmember Lindemann requested an update from the Administration on when pavement will be completed for the area of Fernwood and Kipling. He stated that he had heard that this should be completed by the end of October 27, 1990.

Councilmember Ford stated that residents of S. Rundle and Smith have received notices that they are to pay sidewalk assessments by the end of November but that the work has not been completed. He would like a report from the administration as to when this work will be done.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:55 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, October 29, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
October 29, 1990

The City Council of the City of Lansing met in regular session at 7:15 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann and Schmidt

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Lindemann.

By Councilmember Lindemann:

That the printed Council proceedings for October 8 and October 15, 1990 be approved as submitted.

Carried unanimously; Councilmember Adado absent

CONSIDERATION OF LATE ITEMS

By Councilmember Crawford:

To accept the following under suspension of the rules:

1/ Committee Report on Mandatory Minimum Sentencing from the Committee on Public Safety

2/ Resolution regarding the Lansing Art Gallery's 25th Anniversary

3/ Resolution regarding Agreement between the City and the Teamster's Union

4/ Petition from Residents of Cedar Place

5/ Letter from M. Gilcrest-Hesse of 1206 Parkview regarding Tree Cutting in the 1100 Block of East Hazel

Carried unanimously; Councilmember Adado absent

PUBLIC HEARINGS

A. SLU-10-90—217 North Sycamore Street to Create Off Street Parking Lot for Twelve Cars

Larry McDermott of Booth Newspapers spoke in support of the special land use and explained the purpose of the request. Chuck Posthumus of the architectural firm representing Booth Newspapers was present to answer any questions.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. SLU-11-90—3400 Turner Street to Allow Construction of a Church with an Initial Seating Capacity for 75 People

Robert Dugan of 316 W. Frederick spoke in opposition as he felt that there are already no storm drains in the area and that this special land use would cause increased flooding of the neighborhood.

Sarah Johnson, Trustee for the Original Church of God Chapel, spoke in support of the request. She stated that the Church does plan to construct a water retention pond that should help alleviate flooding problems.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Joan Sheldon of 726 Seymour, representing the Downtown Neighborhood Association, spoke in support of the ordinance on mandatory minimum sentencing.

Ruth Hallman of 1014 W. Lapeer also spoke in support of the ordinance on mandatory minimum sentencing.

Bernice Mason of 812 East Kalamazoo Street, representing Mason Body Shop, spoke in opposition to the closing of the alley (Resolution #A3) on tonight's agenda.

SPECIAL CEREMONIES

There were no Special Ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. Letter from Gregory Zeikus, President of Michigan Biotechnology Institute, submitting their First Annual Report

RECEIVED AND PLACED ON FILE

B. Letter from Sam Usman of 1210 Daisy Lane, East Lansing, regarding Special Assessment Received for Clean Up

REFFERED TO THE CITY ATTORNEY

C. Claim for more than $1,000 submitted by Gene Turnwald of 500 W. Genesee

REFERRED TO THE CITY ATTORNEY

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd reviewed letters D2 and D6 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Resolution #600
October 29, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Craig Bernard Edmondson, James Ball
BUILDING WRECKER: Davis Construction, Inc.
SIGN ERECTOR: Media Six, Inc.

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmember Adado absent.

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 22, 1990 For Review

RECEIVED AND PLACED ON FILE

C. Notice from the Board of Water & Light regarding a Public Hearing on December 11, 1990, regarding Proposed Rate Changes

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Concerns regarding Service Levels and Drop-off Sites for Recyclers of Ingham, Eaton and Clinton Counties

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. Request for Additional Funds—Central Recycling Drop-off Center

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

3. Proposed Sale of 705 South Hayford (Former Pump Station Site)

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Recommended Resolution regarding Compliance with Requirements of National Flood Insurance Program

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. P.S. Partnership Proposed Contec Industrial Subdivision—1600 Block Cavanaugh Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. Trash Violation Fee (V-21)—$904.33

Resolution #601
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: October 24, 1990
SUBJ: Trash Violation Fee (V-21)—$904.33

The attached assessments/violation fees for removal of trash and debris in the right-of-way are submitted with my concurrence for your review and appropriate action.

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor.

Carried unanimously; Councilmember Adado absent

7. Traffic Control: Burchfield Drive and Mason Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. Traffic Control: Samantha Avenue and Wildwood Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Handicapper Parking: Townsend Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10. Traffic Control: Executive Drive and Keystone Drive

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11. Traffic Control: Delevan Avenue and Smith Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Traffic Control: Smith Avenue and Stirling Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Traffic Control: Fletcher Avenue and Smith Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. No Parking: Hapeman Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

15. Traffic Control: Hodge Avenue & Stabler Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

16. Traffic Control: Richmond Street and Wadsworth Drive

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

17. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the External Auditor's report on the Financial position of the Greater Lansing Exhibition and Convention Authority for the year ended June 30, 1990;

Reports As Follows: Representatives of the External Audit Firm of

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Deloitte and Touche informed the Committee that during the course of the audit no significant errors were noted, nor were any material corrections necessary. The External Auditor's did recommend the adopting of purchasing policies pertaining to the purchase of emergency, sole-source, and other unusual acquisitions. The Committee requested that the Internal Auditor procure the Authority's current purchasing, personnel, and pay-plan documentation for review.

Also, pursuant to this issue, the Internal Auditor reported that the Authority's financial condition constitutes the most favorable financial status presented since its inception.

SIGNED

BY COUNCILMEMBER TONY BENAVIDES

That the report of the Committee be adopted.

Carried unanimously; Councilmember Adado absent

BY THE COMMITTEE ON WAYS AND MEANS

To whom was referred the External Auditor's report on the financial position of the City for the year ended June 30, 1990;

Reports As Follows: Representatives from the External Audit firm of Deloitte and Touche informed the Committee that during the course of the audit no significant errors were noted, nor were any material corrections necessary. The external auditors did recommend that the Internal Auditor be requested to perform internal control testing and review of the cash receipt and cash disbursement systems of the Drug Law Enforcement Fund. The Committee concurs with this recommendation and has requested the Internal Auditor perform this function.

Pursuantly, the City Finance Director reiterated his prior concern that, while General Fund revenues exceeded expenses by some $880,000 in Fiscal Year 90, Financial projections continue to reflect a substantial General Fund Defecit for Fiscal Year 92.

SIGNED

BY COUNCILMEMBER TONY BENAVIDES

That the report of the Committee be adopted.

Carried unanimously; Councilmember Adado absent

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the Mayor's recommended ordinance to add a new section 664.06, for the purpose of providing that the frequenting of a place where the maintaining or storing, buying, selling, giving away, trading or using of illegal controlled substances is illegal and providing for mandatory minimum sentences if convicted,

REPORTS AS FOLLOWS: The Committee received testimony from several citizens, some of whom represented their neighborhoods, in favor of the ordinance. The Committee also met with a judge from the 54-A District Court, who expressed reservations about the ordinance because it limits judicial discretion. Further, the Committee discussed the point of view expressed in the local media by the Ingham County Sheriff, who said mandatory jail terms for those convicted under the ordinance would place additional pressure on the inmate capacity of the Ingham County jail. The Committee made some minor adjustments of the mandatory minimum terms stipulated in the ordinance. Further, the Committee has requested a report from the Mayor on options for alternate sentencing. The Committee agrees with the goals of the ordinance, and recommends that it be adopted.

BY COUNCILMEMBER CRAWFORD:

That the report of the Committee be received.

Carried unanimously; Councilmember Adado absent

RESOLUTIONS

Resolution #602
BY COMMITTEE ON WAYS AND MEANS 10/29/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$39,828.00 from Res. for Cont.—Bgt. Ctrl Acct
A/C 101-173901-992200-13055
39,828.00 to Police-Bgt. Ctrl. Acct.
A/C 101-343201-992200-00000
(Establish funding for new Captain VI position in Police Administration Criminal Intelligence Unit. (Memo accounts listed on reverse.)

$31,794.55 from Gen. Fd.—Fd. Bal.
A/C 101-000000-390001-00000
31,794.55 to Cap. Imp. Prog.—Bgt. Ctrl.
A/C 101 933901-992200-13001
($28,995.70 net proceeds from Potter Park parking fees, Jan. 1, 1990 through June 30, 1990 (to memo account 101-933890-971000-13009); $2,798.85 net proceeds from Turner-Dodge House rentals, July 1, 1989, to June 30, 1990 (to memo account 101-933890-975000-13022).

$50,000.00 from Est. Rev. A/C 765-000000-170001-00000
50,000.00 to Worker's Comp.—Bgt. Ctrl.
A/C 765-174170-992200-00000
(Additional funds due to recent awards and pending settlements of claims. Memo Acct. 765-174170-741700-0 Claims.)

The Balance in the Reserve for Contingency Fund after this transfer is $249,577.00.

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmember Adado absent

Resolution #603
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Section 7-102 of the City Chartcr requires the Council to adopt an annual statement of city-wide budget policy and

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priorities for use in preparing the Mayor's recommended budget;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following budget policies for Fiscal Year 1991-92:

1. That the previously adopted Outline of City-Wide Priorities be reaffirmed to fiscal year 1991-92.

2. That, as standing policy, each fiscal year hearafter .5 mill will be devoted to infrastructure, and that the interest earned in this fund will accrue to this program, and that, after the earmarked ½ mill, 2% of the remaining General Fund revenues, plus accrued interest, will be designated exclusively for infrastructure improvements.

3. That no new program or personnel service levels be approved without either reduction in other ongoing costs or identification of new revenues to pay for them.

4. That the full costs of the new recycling program be paid through it's rate structure, not added property taxes.

5. That the City's goal for financial stability is to maintain an undesignated fund balance equal to 10% of General Fund Revenues, to be achieved within the next 5 years.

6. That the City apply at least 85% of any new user fee revenue to defray cost of services provided so as to minimize costs borne by property tax payers rather than actual users of a service.

7. That the City continue its efforts to contain costs through negotiations with its unions and with other governmental units so that service levels and jobs be preserved as much as is feasible in light of economic conditions.

8. That the City only accept grants which are both operationally and financially prudent and needed to maintain or improve critical services and that all grant fund positions shall terminate upon expiration of the grant funding.

9. That the City acknowledge and explain to its citizens the correlation between services and costs by establishing a monthly fact sheet which details a service, its purpose and its cost and send this to neighborhood councils and post within the lobby, 9th and 10th floors.

10. That the City continue efforts to limit labor-intensive services where automation will more efficiently and effectively facilitate programs and functions, with primary emphasis on automation of public safety programs and functions.

11. That the City continue efforts to preserve the safety and economic viability of neighborhoods through;

A. Preservation of sound housing stock with an aggressive code compliance inspection program and demolitions wherever necessary to improve neighborhoods.

B. Expansion of homesteading or other similar programs to increase the percentage of owner-occupied housing compared to rental housing, using CDBG and other sources, such as a housing preservation trust fund.

12. That the City is to constantly explore and evaluate for possible implementation all ideas and concepts that will improve the City's effectiveness in combatting crime and the drug trade.

CITY-WIDE PRIORITIES

I. Mandated (legally required services and requisite essential operational support).

A. Public Safety: The lives and homes of our citizens are primary concern of municipal government and the City's highest priorities. Full and appropriate resources shall be devoted to investigation of crimes and apprehension of criminals.

1. Life Protection—This includes uniform Police response to crime scenes, accidents, and civil emergencies; fire response to alarms and calls for ambulances; and Emergency Operations on civil defense, natural disasters, or other such emergencies.

2. Prevention of Life-Threatening and Hazardous Conditions:

a. Building Safety-Efforts to ensure proper Construction and inspection for safety of public and private buildings.

b. Fire Prevention-Efforts such as community education and pre-fire planning; Police involvement in public education, district patrol, and crime detection and prevention.

c. Security in City Parks and other public areas.

d. Testing and cleanup of knowntoxic wastes.

3. Roads and Traffic-Maintenance of public roadways; adequate traffic control, and police enforcement of traffic laws as necessary to assure safety.

4. Public Safety Support.

a. Fleet operations and maintenance for Police and Fire.

b. Building operations and maintenance for Police, Fire, and Emergency Operations.

B. Public Service: Provision of basic services essential to the entire community, including:

1. Sanitation and Wastewater Treatment; Rubbish Disposal and snow removal.

2. Sidewalk System Maintenance; Flood Control; Storm Sewer Maintenance.

3. Support Operations including fleet management and maintenance.

4. Development of composting, recycling, and waste-to-energy programs.

C. Administration/Monitoring/Reporting: legally mandated functions in the operation of municipal services and expenditure of public funds. These requirements are a legal pre-requisite for existence and operation of any government unit.

1. Monitoring of Affirmative Action/Equal Employment Opportunity programs within City government and also within economic development assistance recipient firms.

2. Elected Officials-City Council, Mayor, Clerk, District Court.

3. Financial Systems for Financial Planning Budget development; budget administration monitoring and reporting; procurement administration; revenue collection through assessments and

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income tax; and Treasury.

4. Legal Services-including ordinance preparation; legal advice; ordinance administration; review of cases and coordination of all City legal services.

5. Planning-including A-95 and other legally required reviews; Capital Development planning and Zoning Ordinance administration.

6. Personnel/Labor Relations.

II. DISCRETIONARY

A. Economic development and redevelopment activities designed to foster a strong local economic base, provide jobs, and assure stability within the Community.

B. Recreational programming including sports, parts, system, special events, civic activities, etc.

C. Community agency support including human services, Community promotion, and area-wide services such as transportation, etc.

The distinction between mandated and discretionary activities does not mean lack of commitment to support and fund activities in all categories for as long as the City has resources. The three discretionary activities delineated above shall be priority discretionary activities. Also, the legally-mandated services will be considered with all other City discretionary activities.

By Councilmember Lindemann:

To amend this resolution by removing item #4 on page 1.
Vote: 1/6; Amendment fails

By Councilmember Ford:

To amend this resolution by replacing item #9 on page 1 with "That the City provide its citizens with a monthly fact sheet to justify and explain added user fees and send this to Neighborhood Councils and post within the lobby, 9th and 10th floors of City Hall."

Carried unanimously; Councilmember Adado absent

By Councilmember Benavides:

That the resolution, as amended, be adopted.

Carried unanimously; Councilmember Adado absent

Resolution #604
October 26, 1990

SLU-4-90
609/611/615 South Grand Avenue

WHEREAS the applicant, Robert Davidson, for L.A. Davidson Real Estate Investment Corporation, has requested a Special Land Use Permit for the vacant land at 609, 611 and 615 South Grand Avenue, more particularly described as:

The south 33 feet of the west 99 feet of Lot 7 and the west 105 feet of Lot 6, Block 156, Original Plat, City of Lansing, Ingham County, Michigan

to construct a parking lot with 18 spaces for use by the general public and the office building directly to the north; and

WHEREAS the Planning Board has reviewed the proposal and recommends approval of the Special Land Use permit subject to conditions; and

WHEREAS the Physical Development Committee of Council has reviewed the report of the Planning Board and concurs therein;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the Special Land Use permit request for 609, 611 and 615 South Grand Avenue subject to the following conditions:

1. Satisfactory implementation according to the revised site plan (approved September 27, 1990) which includes removal of inappropriately placed asphalt and striping of the parking area according to approved layout pattern which meets Zoning Code requirements.

2. Appropriate landscape screening and buffering around all perimeter spaces and adjacent to building, according to the final revised plan on file.

3. Satisfactory installation of the on site storm flow detention plan on file and approved by Public Service Department.

4. Assemblage of the subject lot with the parcel to the north.

5. The subject property cannot be used for off street parking until all necessary specified site improvements have been completed.

6. That the Planning Division review the use of this site at the end of three (3) years.

In granting this request the City Council considered the following:

Compatibility with Surrounding Uses
The proposed parking lot is a use which could reasonably be expected in an area zoned and used for office purposes. As long as the site is well screened and buffered, it should be generally compatible with surrounding uses.

Change in Essential Character
The change in essential character occurred when the two structures previously used for residential purposes were razed leaving vacant land. With those structures gone, change was inevitable. The parking lot appears to be an interim use as the area gradually transitions to an office environment.

Interference with Enjoyment of Adjacent Properties
Properly screened and buffered the lot should not interfere with neighboring properties except the one immediately north. It would appear on the initial plan that car bumpers will touch the adjacent structure presently being converted for office use. Having the parking lot located so close could be very detrimental.

Improvement to Property in Keeping with Natural Environment
A well landscaped, hard surfaced parking lot would represent an improvement over the vacant land as well as an improvement to the natural environment if dust is reduced as a result of the project.

Creation of Environmental Hazards
It would seem that dust and soil erosion would be lessened as well as the visual appearance enhanced.

Adequate Services and Utilities
Standard utilities are available to the site. However, there is some

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concern over storm water flow. Details of storm water detention on site will have to be worked out to the satisfaction of the Public Service Department.

Impact on Capacity of Services and Utilities
The storm sewers as mentioned previously are somewhat inadequate. It will be necessary for storm water flows to be retained on site and released in a timely fashion so as not to negatively impact the existing situation.

Compliance with the Master Plan
The proposed use in the Cherry Hill Master Plan is for office use. Parking is a use associated with that and will partially be used as parking for the adjacent building being renovated for offices.

The Cherry Hill Area Development Committee believes that a well landscaped parking lot could be an appropriate interim use. It would eliminate vacant, unsightly lots and provide additional parking in a tight parking situation. The Committee is, however, very concerned about appropriate and substantial landscaping which would discourage spill-over parking on the south onto the adjacent grassy area at the corner of St. Joseph and I-496.

Compliance with Dimensional Criteria
The design will have to conform with all dimensional and landscape screening and buffering criteria. More sensitive attention must be paid to the perimeter areas and to the structure remaining at the north end of the site; and

BE IT FURTHER RESOLVED that the City Clerk be directed to notify the applicant of this action.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #605
BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Helen E. Brija owns three contiguous parcels of property at the address of 615 East Kalamazoo Street; and

WHEREAS, said parcels have been specially assessed for sidewalk improvements as follows:

3301-16-430-131	$672.15
3301-16-430-141	$672.15
3301-16-430-151	$573.80

for a total assessment of $1,918.10; and

WHEREAS, the taxpayer requested in a timely manner that she be granted extension of time within which to pay a portion of the total assessment and has paid a portion thereof; and

WHEREAS, the taxpayer would otherwise be entitled to such an extension pursuant to City ordinance if the contiguous parcels were a single tax parcel;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the taxpayer's request to pay this total special assessment in installments; and

BE IT FURTHER RESOLVED the City Assessor is requested to calculate and bill this special assessment for these parcels as a single parcel, pursuant to the terms and in the manner provided by Ordinance 10256.07 (a) (2) (I); and

BE IT FINALLY RESOLVED that payments previously made by the taxpayer shall be credited as timely made.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #606
October 17, 1990
COMMITTEE ON PHYSICAL DEVELOPMENT

ACT-19-90
800/900 Block South Kalamazoo

WHEREAS, Tom Parker has requested the City to close and vacate the east/west alley in the 800/900 Block of East Kalamazoo/-Hickory for the purpose of land assembly and constructing a new nonresidential building; and

WHEREAS, the Lansing Planning Board has reviewed the request, held a public hearing and received extensive information for the neighborhood and agencies and has recommended that the request be denied and the alley remain open; and

WHEREAS, the Physical Development Committee of Lansing City Council has reviewed and concurred with the Planning Boards recommendation; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council denies the request to close and vacate the alley in the 800/900 Block of East Kalamazoo/Hickory and that it remain open and functional.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

Resolution #607
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-062 which authorizes the installation of yield signs on Southgate Avenue at the intersection of Vernon Avenue.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

Resolution #610
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the International Brotherhood of Teamsters, Chauffers, and Warehousemen, Local 580, have negotiated and been through mediation; and

WHEREAS, an agreement has been reached which provides wage and benefit changes, phases in some cost containment measures, and addresses mutual needs of the parties; and

WHEREAS, the package is within the economic parameters; and

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WHEREAS, the Mayor recommends approval;

NOW, THEREFORE, BE IT RESOLVED, that the agreement between the City of Lansing and the Teamsters Local 580 Supervisory Bargaining Unit and the Clerical, Technical, and Professional Bargaining Unit covering the period July 1, 1990 to January 15, 1993 be hereby ratified; and

BE IT FURTHER RESOLVED, that the Budget Office is hereby authorized to make the appropriate transfer within the General and Non-General Funds to implement this agreement, including transfers from Contingency/Retained Earnings.

By Councilmember Benavides:

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann

NAYS: Schmidt

ABSENT: Adado

Resolution #611
BY COUNCILMEMBER CANADY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the Lansing Art Gallery is celebrating its 25th Anniversary of service to the greater Lansing community this year; and

WHEREAS in 1965, under the name of Lansing Community Art Gallery, a group of dedicated individuals founded a non-profit, educational organization for the purpose of promoting and enriching the visual arts and increasing awareness and appreciation of Michigan art and artists; and

WHEREAS, since that time, the programs and membership of the Lansing Art Gallery have expanded and grown to include important exhibition opportunities for Michigan artists, vital educational offerings for children and adults, and community service programs; and

WHEREAS, the Lansing Art Gallery is now one of the leading arts organizations in Michigan, thanks to the efforts of volunteers, Board members, staff, funders such as the Michigan Council for the Arts and the City of Lansing, and countless community supporters and patrons;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, on behalf of the citizens of Lansing, congratulates the dedicated founders, volunteers, staff, and Board of the Lansing Art Gallery, and extends to them best wishes on the occasion of the Gallery's 25th Anniversary Celebration, the week of November 4-10, 1990.

8y Councilmember Canady:

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR INTRODUCTION

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-17-90—3030 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District.

Z-20-90—4722 North Grand River Avenue to be rezoned from "A" Residential and "J" Parking District to "J" Parking District

were introduced by Councilmember Canady, read a first and second time by their titles and referred to the Committee on Physical Development.

Resolution #608
By Councilmember Canady October 25, 1990

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 19, 1990 at 7 p.m. in Board Room #6, Lansing School District Administration Building, 519 West Kalamazoo Street, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinances for rezoning:

Z-17-90—3030 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District.

Z-20-90—4722 North Grand Riveer Avenue to be rezoned from "A" Residential District and "J" Parking District to "J" Parking District.

By Councilmember Canady:

Carried unanimously; Councilmember Adado absent

WALKERS, JOGGERS AND RUNNERS

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider amending Chapter 7 of Part 4 of the Code of Ordinances for the City of Lansing by adding a new Section 7.17 for the purpose of requiring that all walkers joggers and runners shall utilize sidewalks, if available, or shall walk, jog or run on the left of a roadway toward oncoming traffic if sidewalks are not available and shall wear reflective clothing at night.

By Councilmember Crawford:

Resolution #609
RESOLUTIONS SETTING PUBLIC HEARING

WALKERS, JOGGERS, AND RUNNERS

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Tuesday, November 13, 1990 at 7:00 p.m. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering amending Chapter 7 of Part 4 of the Code of Ordinances for the City of Lansing by adding a new Section 7.17 for the purpose of requiring that all walkers, joggers and runners shall utilize sidewalks, if available, or shall walk, jog or run on the left of a roadway toward oncoming traffic if sidewalks are not available and shall wear reflective clothing at night.

By Councilmember Crawford:

Carried unanimously; Councilmember Adado absent

ORDINANCES FOR PASSAGE

By Councilmember Lindemann:

That we proceed to the passage of ordinances.

Carried unanimously; Councilmember Adado absent

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By Councilmember Crawford:

That the Ordinance when read be considered as read in its entirety.

Carried unanimously; Councilmember Adado absent

BY THE COMMITTEE ON PUBLIC SAFETY:

BY Councilmember Crawford:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section 664.06, for the purpose of providing that the frequenting of a place where the maintaining or storing, buying, selling, giving away, trading or using of illegal controlled substances is illegal and providing for mandatory minimum sentences if convicted be placed on order of immediate passage.

BY Councilmember Crawford:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section 664.06, for the purpose of providing that the frequenting of a where the maintaining or storing, buying, selling, giving away, trading or using of illegal controlled substances is illegal and providing for mandatory minimum sentences if convicted be now passed.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado

By Councilmember Schmidt:

That this ordinance be given immediate effect.

Carried unanimously; Councilmember Adado absent

ORDINANCE NO.826

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 6 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 664.06, FOR THE PURPOSE OF PROVIDING THAT THE FREQUENTING OF A PLACE WHERE THE MAINTAINING OR STORING, BUYING, SELLING, GIVING AWAY, TRADING OR USING OF ILLEGAL CONTROLLED SUBSTANCES IS ILLEGAL AND PROVIDING FOR MANDATORY MINIMUM SENTENCES IF CONVICTED.

The City of Lansing ordains:

Section 1. That Part 6, Chapter 664, Section 664.06, of the Code of Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

664.06 FREQUENTING A PLACE WHERE ILLEGAL CONTROLLED SUBSTANCES ARE MAINTAINED OR STORED, BOUGHT, SOLD OR USED; ILLEGALITY.

(A) NO PERSON SHALL KNOWINGLY ATTEND, FREQUENT, OPERATE OR BE AN OCCUPANT OF ANY PLACE INCLUDING A STRUCTURE, HOUSE, BUILDING, PREMISE OR VEHICLE WHERE ANY MAINTAINING OR STORING, BUYING, SELLING, GIVING AWAY, TRADING OR USING OF ANY CONTROLLED SUBSTANCE AS DEFINED AND PROHIBITED BY FEDERAL, STATE OR LOCAL LAW OCCURS.

(B) WHOEVER VIOLATES SUBSECTION 664.06(A) SHALL BE PUNISHED AS FOLLOWS:

(1) UPON A FIRST CONVICTION FOR A VIOLATION OF SUBSECTION 664.06(A), THE DEFENDANT SHALL BE SENTENCED TO A TERM OF IMPRISONMENT OF NOT LESS THAN SEVEN (7) DAYS NOR MORE THAN NINETY (90) DAYS AND SHALL BE FINED NOT LESS THAN $175.00 NOR MORE THAN $500.00;

(2) UPON A SECOND CONVICTION FOR A VIOLATION OF SUBSECTION 664.06(A), THE DEFENDANT SHALL BE SENTENCED TO A TERM OF IMPRISONMENT OF NOT LESS THAN THIRTY (30) DAYS NOR MORE THAN NINETY (90) DAYS AND SHALL BE FINED NOT LESS THAN THREE HUNDRED ($300.00) DOLLARS NOR MORE THAN FIVE HUNDRED ($500.00) DOLLARS; AND

(3) UPON A THIRD OR SUBSEQUENT CONVICTION FOR A VIOLATION OF SUBSECTION 664.06(A), THE DEFENDANT SHALL BE SENTENCED TO A TERM OF IMPRISONMENT OF NOT LESS THAN SIXTY (60) DAYS AND SHALL BE FINED NOT LESS THAN FOUR HUNDRED ($400.00) NOR MORE THAN FIVE HUNDRED ($500.00).

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance was given immediate effect.

CONSIDERATION OF LATE ITEMS

1/ Committee Report on Mandatory Minimum Sentencing from the Committee on Public Safety

(Handled under Committee Reports)

2/ Resolution regarding the Lansing Art Gallery's 25th Anniversary

(Handled as Resolution #611)

3/ Resolution regarding Agreement between the City and the Teamster's Union

(Handled as Resolution #610)

4/ Petition from Residents of Cedar Place

REFERRED TO THE MAYOR

5/ Letter from M. Gilcrest-Hesse of 1206 Parkview regarding Tree Cutting in the 1100 Block of East Hazel

REFERRED TO THE MAYOR

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

To excuse Councilmember Adado from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Frank Curtis of 1137 W. Allegan stated that he is opposed to the ordinance on mandatory minimum sentencing.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd reminded everyone to be careful and especially watchful

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for children on Halloween night.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt stated that she has some illuminating nightsticks available which the Safety Council recommends children use on Halloween. Anyone interested in receiving one should contact her office.

Councilmember Ford stated that he had received complaints from some residents about the number of leaves in the streets which are blocking the roadway and causing hazards.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 9:30 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, November 5, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
November 5, 1990

The City Council of the City of Lansing, met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Ford, Lindemann and Schmidt (Councilmember Canady arrived at 7:40 P.M.)

ABSENT: Councilmembers Adado and Crawford

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

CONSIDERATION OF LATE ITEMS

(Note: Consideration of Late Items was postponed until the arrival of Councilmember Canady so that a quorum would be present)

By Councilmember Schmidt:

To accept the following under suspension of the rules:

A resolution confirming the appointment of Wava Streeter to the Fire Board.

Carried unanimously,. Councilmembers Adado and Crawford absent.

PUBLIC HEARINGS

A. Make-safe or Demolish for Property Located at 915 W. Kalamazoo Street

Tommie Johnson of 3608 Blue Ridge, owner of the property, asked for an explanation of the make-safe/demolish process. He stated that he did not have any problem with the demolition of this property.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. Make-safe or Demolish for Property Located at 1205-07 W. Ionia Street

There were no speakers for this public hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Make-safe or Demolish for Property Located at 428 E. Howe Ave.

Lewis Crenshaw of 2823 N. Cambridge, representing the owners of this property, stated that they are trying to obtain funding to rehabilitate the property and would like an extension of the timeframe.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Make-safe or Demolish for Property Located at 317 N. Pennsylvania Avenue

There were no speakers for this public hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. Make-safe or Demolish for Property Located at 741 Comfort Street

There were no speakers for this public hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. Z-15-90—2535 East Mt. Hope Avenue to be rezoned from "A" Residential to "D-1" Professional Office District

Gary Tuma of 2635 E. Mt. Hope submitted a petition from some of the residents of the area objecting to the proposed rezoning.

John Ouderklug of 7031 E. State Road, representing the proposed owners, explained the proposed rezoning and why they felt it would not interfere with the residential aspect of the neighborhood.

Don Cleeves of 2417 E. Mt. Hope stated that he is not opposed to this rezoning.

Gloria Follink of 2535 E. Mt. Hope stated that she had no objection to this rezoning and felt that it would be safer if the property were used for commercial purposes than for residential use.

June Jacobson, representing the group that is interested in purchasing and rezoning this property, stated that they were not intending any use for the property that would interfere with the residential aspect of the neighborhood.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

G. Amendments to the Planning and Zoning Code

Mr. Foulds explained the basic changes that are being proposed to the Planning and Zoning Code and was available to answer any questions.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

H. Revocation of Industrial Facilities Exemption Certificate #80-406 granted to Lindell Drop Forge

A letter received from the attorney representing Lindell Drop Forge has been added to the file.

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

I. Revocation of Commercial Facilities Exemption Certificate #85-012 granted to Anthony T. Randall

Hiralal Patel, owner of the property at 303 S. Washington, stated that he is in opposition to this revocation and that he feels it should be transferred to him. Emerson Ohl of the Economic Development Corporation explained to Mr. Patel that these types of licenses are no longer available.

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REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

PUBLIC COMMENTS

Donna Brockwell of 815 Bancroft Court stated that she opposes the special land use SLU-10-90 up for approval this evening.

Deborah Mulcahey of 713 W. Genesee, representing Neighborhood Watch 120, stated that they are also opposed to SLU-10-90.

SPECIAL CEREMONIES

The Mayor and City Councilmembers recognized Individuals who Assisted in the Development of the Sign Code Ordinance

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmembers Adado and Crawford absent

A. Letter from Manufacturers National Bank enclosing the first Lansing Neighborhood Handbook

RECEIVED AND PLACED ON FILE

B. Letter from Alfred Buerger regarding an Altercation on 8/23/90

REFERRED TO THE MAYOR

C. Letter from the Michigan Indian Benefit Association requesting Donations to Meet their Obligations in the Next Few Months

RECEIVED AND PLACED ON FILE

D. Financial Statement for Year Ending June 30, 1990, for the Lansing Housing Commission

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Petition received regarding Amending the Code of Ordinances to add a section regarding Wild and Exotic Animals

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE CITY ATTORNEY

F. Letter from Makzum Hassouna of 10070 Pollard Road regarding Nuisance Fee Assessment

REFERRED TO THE CITY ATTORNEY

G. Letter from the Friends of the Michigan Women's Historical Center & Hall of Fame thanking Councilmembers for their Support

RECEIVED AND PLACED ON FILE

H. Letter from Pete Nelson requesting an Inspection of St. Lawrence Hospital's Water System

REFERRED TO THE INGHAM COUNTY HEALTH DEPARTMENT

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed letters numbered DI, D2, D3, D4, D5 and D6. The Mayor also stated that, in response to Communication & Petition #B from Alfred Buerger that no police report was created as there was no evidence of a crime having been committed.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #612
November 1, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Elmer William Graves, Eric Hartman
CLASS C LIQUOR TRANSFER: From John Q's into Escrow, Capitol Hill Station Inc., James B. Stajos
CABARET: LHF, Inc., Metro Bowl, Inc.
POOL ROOM/BOWLING ALLEY: Holiday Lanes, Metro Bowl Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmembers Adado and Crawford absent.

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 29, 1990 For Review

RECEIVED AND PLACED ON FILE

C. Letter from the Greater Lansing Convention/Exhibition Authority responding to 1989/1990 Audit

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letters from the Mayor re:

1. Response to Councilmember Ford's Inquiry regarding the Sidewalk Assessment Process

Councilmember Ford stated that he does not feel it is appropriate that citizens should have to pay for these assessments prior to the work being completed. Howard McCaffrey explained that the ordinance requires the assessment to be sent out prior to the beginning of construction.

RECEIVED AND PLACED ON FILE

2. Street Sweeping and Leaf Pick-Up Schedules

RECEIVED AND PLACED ON FILE

3. Michigan Liquor Control Commission Public Hearing for December 4, 1990, regarding Administration of the Liquor Control

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Act

RECEIVED AND PLACED ON FILE

4. Appointment of David F. Larson to the Mechanical Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5. Revenue Bonding for the Wastewater Fund

Councilmember Lindemann explained that the new drop off center for recycling will be located at the North Side of the Logan Shopping Center and will be operated by the Recyclers of Ingham, Eaton and Clinton Counties. Proposed hours of operation for the new center will be Tuesdays, Thursdays and Saturdays.

REFERRED TO THE COMMITTEES ON WAYS AND MEANS & PHYSICAL DEVELOPMENT

6. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

THE COMMITTEE ON WAYS AND MEANS AND ON PUBLIC SERVICES

TO WHOM WAS REFERRED The request from the Recyclers of Ingham, Eaton and Clinton Counties in the amount of $13,950 for site improvements to the new Central Recycling Drop-Off Center.

REPORTS AS FOLLOWS: City Council appropriated $138,400 in the Fiscal Year 1990-91 budget for the purchase of equipment to be utilized at the drop-off center. The funding source is the Environmental Bond Fund. Funding for site improvements was deferred during budget deliberations pending location of a site and identification of site improvement costs.

Bids have now been received for the purchase of equipment in the amount of $120,637 leaving residual funds of $17,763. The Mayor recommends the residual funds be utilized to fund the site improvements. In addition, the Public Service Director has recommended, with the concurrence of the Mayor, that any funds available upon completion of the site improvements be utilized to lease equipment for site operation pending receipt of the purchased equipment.

Each Committee concurs with the recommendation of the Mayor concerning the utilization of the residual equipment funds. The Committees also request that the Mayor expedite any necessary contract amendments so that the implementation goal of December 1, 1990, can be met.

SIGNED

BY COUNCILMEMBER BENAVIDES

BY COUNCILMEMBER LINDEMANN

That the report of the committee be adopted.

By Councilmembers Benavides & Lindemann:

Carried unanimously; Councilmembers Adado and Crawford absent

November 1, 1990
SLU-10-90
North of 217 North Sycamore Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a Special Land Use Permit request by Larry McDermott, representing Booth Newspapers, Incorporated for property adjoining 217 North Sycamore Street for the purpose of expanding the off street parking lot.

REPORTS AS FOLLOWS: That the Special Land Use be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Canady, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado, Crawford

November 1, 1990
SLU-11-90
3400 Block North Turner Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of a Special Land Use Permit request by Morgan Johnson, representing The Original Church of God, for property in the 3400 block of North Turner Street for the purpose of constructing a new church.

REPORTS AS FOLLOWS: That the Special Land Use be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Canady, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado, Crawford

November 1, 1990
P-2-87
Contec Center Subdivision

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the reinstatement of Tentative Preliminary Plat and Final Preliminary plat approval for Contec Center Subdivision.

REPORTS AS FOLLOWS: That reinstatement of this Tentative Preliminary Plat and the Final Preliminary Plat be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

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By Councilmember Canady:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Canady, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado, Crawford

November 1, 1990
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of Flood Plain management for the City of Lansing.

REPORTS AS FOLLOWS: That the City Council adopt the resolution indicating their commitment to continue to participate in the National Flood Insurance Program.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Canady, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado, Crawford

RESOLUTIONS

Resolution #613
COMMITTEE ON PHYSICAL DEVELOPMENT October 11, 1990

FLOOD PLAIN MANAGEMENT
For the City of Lansing, Michigan

WHEREAS, the City of Lansing, Michigan desires to continue to participate in the National Flood Insurance Program and to comply with all the applicable statutory and regulatory requirements for the purpose of significantly reducing hazards to persons, and property damage and public expenditures and to provide for the availability of flood insurance and federal funds or loans; and

WHEREAS, the City of Lansing is prepared to accept and comply with the map titled "Flood Insurance Rate Map (FIRM) of the City of Lansing, Michigan" dated November 16, 1990 which shall be the official map for determinations and regulations pursuant to the resolution; and

WHEREAS, these maps will be used in the administration of Lansing's Flood Plain Control Ordinance known as Chapter 1288 of the Planning and Zoning Code;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Lansing, Michigan, hereby goes on record as accepting the current Flood Insurance Rate Map dated November 16, 1990 for the purpose of administering Lansing's Flood Plain Control Ordinance named Chapter 1288, Flood Plain Control, of the Planning and Zoning Code.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #614
November 1, 1990

SLU-11-90
3400 Block North Turner Street

WHEREAS Morgan Johnson, 3427 Penrose, representing the Original Church of God Chapel has requested Special Land use approval for a church with a 75 seat sanctuary and design for future expansion for property in the 3400 block of North Turner Street, more particularly described as:

Commencing at the northeast corner of Lot 1, Fairfield Gardens Subdivision; thence north 205.85 feet; thence west 847.3 feet to a point on the center line of Turner Street 585.5 feet south of the north section line; thence south 208.5 feet; thence east to beginning, except the north 120.95 feet of the west 200 feet, Section 4, T4N, R2W, City of Lansing, Ingham County, Michigan; and

WHEREAS the property in question is zoned "A" Residential, contains 3.4 acres of area and fronts on a minor arterial street which meets the minimum requirements for application; and

WHEREAS the Planning Board held a public hearing on Tuesday, August 21, 1990; and

WHEREAS the Planning Board voted 6 yeas, 0 nays on September 18, 1990 to approve the request for Special Land Use subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves a Special Land Use permit for the Original Church of God Chapel to construct a church with a 75 seat sanctuary and plans for future expansion with required parking. This approval is subject to the following conditions:

1. The resolution of the storm sewer service problem. That is, the installation of proper storm sewer service for the site to be approved by the Public Service Department and installed concurrently with development of the site.

2. The submission of a final site plan including landscape, parking and traffic circulation provisions. All plans will be approved by the Planning Division prior to the issuance of building permits.

3. Approval is for this specific site and the specific development plan for the property; and

WHEREAS the City Council, in approving this request considered the following:

Neighborhood Compatibility
The surrounding neighborhood is single family residential. The proposed development can be made compatible with the

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neighborhood with proper design and site planning. The site is large enough that with provisions of landscaping, screening and buffering for the site, especially around buildings and parking, it will be possible for the proposed church to exist well with the neighborhood; at least from a visual standpoint.

Character of the Neighborhood
The essential character of the neighborhood will remain residential. However, the long, narrow type of lots that front on Turner Street dictate the placement of the church structure on the inner portion of the lot. Although the "essential" residential character of the neighborhood will not change, there will be a shifting of use to the interior of the block which makes more efficient use of the property.

Interference With Use of Adjacent Properties
The site is large enough to accommodate the proposed use. With proper site planning the church use of the property will not interfere with the general enjoyment of adjacent properties.

Improvement to Area and Lot
The granting of the Special Land Use will allow the developmentof a now vacant property. Improvements must be added if the building and parking areas are constructed. The sewers serving the property, for instance, must be improved. At present there is no direct storm sewer outlet for building or parking lot improvements.

Environmental Concerns
The use of and activities on the property associated with a church should not be hazardous to adjacent residents or property. A church is residential in character.

The Board of Water and Light does have a concern. The Board does not object to the church use of the property, however, to protect a water well head located nearby, it is asked that "sanitation standards for construction be observed."

Public Facilities and Services—Availability
The services and facilities available to the church site are adequate with the exception of storm sewers. The Public Service Department indicates that there is no direct outlet for building and parking lot improvements on the site. In fact, there is no storm sewer along Turner or Fairfield. The storm sewer closest to the site is along Creston Avenue. Public Service flatly states; "drainage is not available to this lot at this time."

Public Facilities and Services—Capacity
As outlined above, the storm sewer capacity may be exceeded by the proposed chrch development. Clearly, improvements must be made to service the site either for direct storm sewer extension or for an on site system of dealing with the storm water.

All other services should have adequate capacity. The only other concern is for a Board of Water and Light water well close to the site. However, the Board has no objection to the church as long as sanitation standards for construction are observed.

Compliance With the Master Plan
The Master Plan specifies residential use of the subject property. A church is considered a residential use and complies with the Master Plan intent. The property was zoned "B" Residential District in 1980. This was done for the purpose of placing a church on the property. This further validates possible church use of the property given proper site work and utility availability.

Compliance With Dimensional Criteria
In order for consideration of Special Land Use any new church proposal must meet two requirements. First, the site must have two or more acres of area. Secondly, the parcel must have access; at minimum a collector or arterial classification street. This property is 3.4 acres and has access to Turner Street which has a minor arterial classification. The site plan submitted with the Special Land Use application is sufficient for discussion. However, prior to final site plan approval, building and parking setbacks may be modified for the benefit of the neighborhood. In addition, landscape screening and buffering must be detailed; and

BE IT FINALLY RESOLVED that the City Clerk hereby notify the applicant of this action.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #615
October 25, 1990

COMMITTEE ON PHYSICAL DEVELOPMENT

P-2-87
Contec Center Subdivision
Reinstatement of Tentative Preliminary Plat and
Final Preliminary Plat Approval

WHEREAS Morris Stein, of The PS Partnership, has requested reinstatement of the tentative preliminary plat of Contec Center Subdivision and at the same time is requesting final preliminary plat approval so that they may move forward to record the final plat of Contec Center Subdivision; and

WHEREAS the Planning Division has reviewed this request as it relates to the original approval and conditions and cannot find any reason not to reinstate the tentative preliminary plat and grant final preliminary plat approval; and

WHEREAS the Physical Development Committee of City Council has reviewed the report of the Planning Division and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves the reinstatement of the tentative preliminary plat of Contec Center Subdivision subject to all of the conditions placed on the original approval; and

BE IT FURTHER RESOLVED that the Council of the City of Lansing also gives their approval to the final preliminary plat, which has been found to be in substantial conformance with the tentative preliminary plat as approved by the Council in September 28, 1987; and

BE IT FINALLY RESOLVED that the City Clerk be directed to notify the applicant and surveyor of said action.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #616
November 1, 1990

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COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-10-90
North of 217 North Sycamore Street

WHEREAS Larry McDermott, representing Booth Newspapers, Incorporated, requested a Special Land Use permit to construct an additional off street surface parking on the lot adjoining the Booth Newspapers offices at 217 North Sycamore Street, and more particularly described as:

The west 75 feet of Lot 3, Block 90, Original Plat, City of Lansing, Ingham County, Michigan; and

WHEREAS the Planning Board, at their meeting on August 21, 1990 held a public hearing at which time only a representative of Booth Newspapers, Incorporated spoke; and

WHEREAS the Board, after careful consideration of the request, unanimously recommended denial of the Special Land Use permit request; and

WHEREAS the Physical Development Committee of the City Council did not concur therewith but recommends approval of the special land use;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the request for a Special Land Use permit for off street parking for twelve (12) spaces on the property described above, subject to the following:

1. That the parking lot be fully improved and meet the minimum requirements of the Zoning Code.

2. That a landscape screening plan be submitted to and approved by the Planning Division prior to the issuance of building permits. Said landscape plan shall include low profile landscaping fronting on Sycamore.

In making their decision the City Council considered the following:

1) The proposed parking lot is not anticipated to interfere with the general enjoyment of the adjacent property.

2) The proposed parking lot is not anticipated to be hazardous to adjacent properties or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

3) There are sufficient public services and facilities available to serve the proposed parking lot if conditions of the Public Service Department are met.

4) The proposed parking lot is consistent with the intent and purpose of the "DM-3" Residential District of the Zoning Code.

5) The proposed parking lot is designed to meet the dimensional requirements of the "DM-3" Residential District; and

BE IT FURTHER RESOLVED in accord with Section 1282.03(b) the special land use, SLU-22-87, be amended to allow sixty percent (60%) of the structure to be used for office and the balance, being forty percent (40%), be retained as residential; and

BE IT FINALLY RESOLVED that this special land use approval (SLU-10-90) shall not be considered as amending the recommendation of the River Island Master Plan which does not recommend development of large scale surface parking lots by the State of Michigan for this block.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #617
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Makzum Hassouna filed a claim against the City of Lansing in the amount of $196.79 in a dispute over a special assessment for removal of trash from the right-of-way for his property located at 1107 W. Ottawa; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee concurred with the City Attorney's recommendation to deny the claim, and reported same to the claimant; and

WHEREAS, Mr. Hassouna appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and concurred with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Makzum Hassouna; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #618
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Linda Barberio filed a claim against the City in the amount of $146.00 for relief from the obligation to pay a sidewalk special assessment for the property at 926 Stanley; and

WHEREAS, the claim was originally denied by the City Attorney's Office on the basis of the criteria established in the March 26, 1990 Council resolution but would have been granted except for the failure of Ms. Barberio to file a timely protest, which was concurred in by the Claims Review Committee; and

WHEREAS, Ms. Barberio appealed the denial to the City Council and her father, for Ms. Barberio, appeared before the General Services Committee; and

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WHEREAS, based on further review by the Law Department, it was found that notice was not sent to Ms. Barberio in a timely fashion and approval of the claim was recommended, and therefore the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Linda Barberio in the amount of $146.00; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

Carried unanimously; CouncilmembersAdado and Crawford absent

Resolution #619
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing Mercy Ambulance Service, Inc. filed a claim against the City of Lansing on behalf of James Sanchez in the amount of $247.00 for reimbursment of ambulance transportation of Mr. Sanchez; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee denied the claim, and reported same to the claimant; and

WHEREAS, Lansing Mercy Ambulance Service, Inc. appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and concurred with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Lansing Mercy Ambulance Service, Inc.; and

BE IT FURTHER RESOLvED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #620
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee of the Whole has favorably reviewed a request from the Convention/Visitors Bureau of Greater Lansing for City co-sponsorship of the annual "Holiday Open House" to be held Thursday, December 6, 1990, in the Lansing Center;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves City co-sponsorship of the "Holiday Open House" at the Lansing Center on December 6, 1990; and

BE IT FURTHER RESOLVED co-sponsorship for this event shall consist of free parking in the Lansing Center parking lot and the North Grand garage for invited guests.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #621
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after 25 years of faithful service to Long Development, Inc., DOUGLAS T. ROWE is retiring as Vice President of the Building Division; and

WHEREAS, during his career, Mr. Rowe has been responsible for negotiating job development contracts and overseeing construction of many noteworthy projects, including Long Commerce Park, Holiday Plaza, Oak Park Village Townhouses and Recreation Center, the Long Boulevard Office Complex, and the Clarion Hotel and Convention Center; and

WHEREAS, Mr. Rowe's efforts have created many jobs and added significantly to the economic stability of this community, while giving this Council and all Lansing Citizens many reasons to take pride in South-end developments;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 5th Day of November, 1990, hereby commends DOUGLAS T. ROWE, on the occasion of his retirement from Long Development, Inc., for his outstanding service and dedication to quality work throughout his career.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Crawford absent

Resolution #622
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Wava Streeter to the Board of Fire Commissioners, for a term that expires June 30, 1994, is hereby confirmed.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Crawford absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

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The appointment of Wava Streeter to the Fire Board was handled as Resolution #622.

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

To excuse Councilmembers Adado and Crawford from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Frank Curtis of 1137 W. Allegan stated that he does not feel Mayor Marion Barry of Washington, D. C. is receiving fair treatment.

Emma Barry of 1714 Nora said that the condition of the Secretary of State building (owned by the City) at 316 N. Capitol is deplorable and that there are rats and cockroaches in the building. She does not understand why the City is not addressing this problem. Mayor McKane responded that someone will be checking out the problem.

Mary Hauser and J. Hauser of #6 Lawler Court stated that they are having problems with a new neighbor located at 922 N. Pine and that they would like the name of the individual owning the property at 920 N. Pine so that they could obtain permission to construct a fence.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that he will have someone check into the property at 922 N. Pine and get back with Mr. and Mrs. Hauser.

The Mayor outlined plans for Saturday and Sunday, November 10th and 11th, to commemorate Veteran's Day.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt reminded everyone that City Council will not be meeting on Monday, November 12, 1990, due to the Veteran's Day Holiday. The meeting has been rescheduled for Tuesday, November 13, 1990.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 9:24 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, November 19, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
November 19, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Lindemann, Schmidt

ABSENT: Councilmembers Adado and Ford

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

By Councilmember Schmidt:

To accept the printed Council proceedings for October 22, 1990

Carried unanimously; Councilmembers Adado and Ford absent

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides:

To accept the following under suspension of the rules:

1/ Transfer of Funds for Parks Department for $4,800.00

2/ Substitute for Resolution #XI-B2 (Central Drop-off Recycling Center)

3/ Ordinance passage for Z-15-90; 2535 E. Mt. Hope Avenue

Carried unanimously; Councilmember Adado absent

PUBLIC HEARINGS

A. Z-17-90—3030 South Cedar Street to be rezoned from "A" Residential to "F" Commercial District

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Z-20-90—4722 North Grand River Avenue to be rezoned from "A" Residential and "J" Parking District to "J" Parking District

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Proposed Amendment to Code of Ordinance regarding Walkers, Joggers and Runners

The following spoke in opposition to the proposed ordinance, specifically with regards to the prohbition in the ordinance to running in the streets. Speakers felt that it was safer to run in the streets than on the sidewalks due to obstacles on the sidewalks, poor lighting of sidewalks, and ice on the sidewalks in the winter months.

-Pat Murray of 216 Moores River Drive
-Jim Pocan of 2913 Pleasant Grove
-James Derocco of 3815 Donald Street
-James Blair of 511 Fulton

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENTS

Carl Harms of 987 Eaton Highway, Lake Odessa, spoke regarding the property at 708 N. Walnut Street. He stated that work will be proceeding on this property in the near future.

Frank Basel of 1219 N. Walnut, owner of the property at 1205-07 W. Ionia, spoke regarding Resolution #D-3.

SPECIAL CEREMONIES

Mayor McKane presented Awards to the Lansing Police Department (Community Services Unit) and to the Board of Water & Light for their efforts on National Night Out

Mayor McKane presented proclamations for "National Young Reader's Month" to the Lansing Public Library and the Literacy Coalition

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmembers Adado and Ford absent

A. SLU-18-90 Petition received from David Nussdorfer of 3305 S. Pennsylvania Avenue for special land use for property located at 1012-1016 and 1018 Walsh Street

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. SLU-19-90 Petition received from the Reverend Charles Bicy of 3507 Inverary for special land use for property located at 3000 W. Miller Road

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Notices received from the Department of Social Services:

—that an Adult Foster Care Small Group Home at 706 Britten has been Closed

—that an Adult Foster Care Home License has been issued for 706 Britten with a Change of Licensee & Category

REFERRED TO THE MAYOR

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D. Letter from the Department of Transportation providing notice that Fiscal Year Reports due on October 29, 1990 have not been received from Lansing Street Administrator

REFERRED TO THE MAYOR

E. Letter from William Schoenbachler of 3616 Glasgow Drive appealing a Claim

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

F. Letter from MichRad regarding Low-Level Radioactive Waste Disposal Issues

RECEIVED AND PLACED ON FILE

G. Notice received from the Department of Natural Resources of an Application for a Permit to Enclose an Existing Drain

REFERRED TO THE MAYOR

H. Letters received from Pete Nelson of P. 0. Box 16313:

—Regarding a Tetanus Shot he Received
—Requesting Copy of City Council Minutes from November 5, 1990

RECEIVED AND PLACED ON FILE; CITY CLERK TO HANDLE LETTER #2

I. Application for an Industrial Facilities Exemption Certificate received from Ameritainer, Inc.

REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE

J. Letter received from A. A. Buerger of P. O. Box 13005 regarding an Alleged Incident on August 23, 1990

REFERRED TO THE MAYOR

K. Letter from Emma R. Berry of 1714 Donora regarding conditions at the North Capitol Parking Ramp

REFERRED TO THE MAYOR

L. Letter from the Michigan United Conservation Clubs regarding Request for a Curb Cut

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

M. Letter from Susan Rawls, President of Skateboarders, United, requesting that a Skateboard Ramp be Constructed

REFERRED TO THE MAYOR

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed letters D2, D3, D5 and D10 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Resolution #626
November 19, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Roosevelt Woods, Jr., David Platt, David Eugene Robbins
CLASS C LIQUOR TRANSFER: Ivy's Inc., Jamil Eid Eid, Days Inn

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendations of the City Clerk.

Carried unanimously; Councilmembers Adado and Ford absent

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 9, 1990, For Review

RECEIVED AND PLACED ON FILE

C. Letter from Mark H. Canady submitted Resignation from the Waterfront Development Board

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. P-I-89, Jet Place Subdivision Final Plat

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Resignation of Phyllis Adams from the Mall Advisory Board

RECEIVED AND PLACED ON FILE

3. Charitable Solicitation Fund Raising from City Employees

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. Letter from Eric Goldstein Commending Lansing Fire Department Employees

RECEIVED AND PLACED ON FILE

5. Energy Fitness Program Contract with Urban Options, Inc.

RECEIVED AND PLACED ON FILE

6. Request for Public Hearing regarding 124 Bell and 414 N. Logan

RECEIVED AND PLACED ON FILE

7. Letter from Rick Bellingar, Owner of My Brothers, Commending Employees in the Planning and Municipal Development Department

RECEIVED AND PLACED ON FILE

8. Letter from Miriam E. Rutz, Michigan State University, Commending Eric Stinson for Work with Landscape Architecture

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Students on a Planting Design Project at Cooley Gardens

RECEIVED AND PLACED ON FILE

9. Removal/Replacement of 7 Block Area Citizens District Council Members

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10. Fast Trak Shuttle Lot Usage Update

RECEIVED AND PLACED ON FILE

11. Special Assessment Rolls, Actual Cost

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

12. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

Resolution #627
BY COMMITTEE ON WAYS AND MEANS 11/19/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$2,083.00 from Res. for Cont.-Bgt. Ctrl.
A/C 101-173901-992200-13055
2,083.00 to City Supported Act.-Bgt. Ctrl
A/C 101-834101-992200-00000
(Additional funding for Recyclers of Ingham, Eaton, and Clinton Counties. To memo account 101-834101-960129-0)

The Balance in the Reserve for Contingency Fund after this transfer is $235,394.00

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED: By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent

COMMITTEE REPORTS

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED THE REZONING PETITION

Z-15-90—2535 E. Mt. Hope Avenue to be rezoned from "A" Residential to "F" Commercial District.

Reports As Follows:That said rezoning be approved and further that a number of requirements be met prior to issuance of a building permit, which include:

Run off be detained on-site, not to be directed to the north, nor to E. Mt. Hope or adjacent properties.

2. A grading plan be submitted to the Public Service Department for their review and approvals.

3. A landscape plan be submitted to the Planning Division for their review for compliance with Chapter 1290 of the Zoning Ordinance.

SIGNED

BY COUNCILMEMBER LUCILE BELEN

That the report of the Committee be adopted.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Ford absent

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the request from the owner of the property at 708 North Walnut Street for an extension of time on the Council's order to demolish or otherwise make safe a dilapidated structure on the property,

REPORTS AS FOLLOWS: After receiving testimony from the property owner, the Director of Building Safety, and a neighbor of the subject property, the Committee determined that the demolition order should stand as approved by City Council.

BY COUNCILMEMBER LINDEMANN:

That the Committee Report be received.

Carried unanimously; Councilmembers Adado and Ford absent

THE COMMITTEE ON PUBLIC SERVICE

TO WHOM WAS REFERRED the demolition of the structure located at 741 Comfort Street

REPORTS AS FOLLOWS: The Chief Code Compliance Officer has informed the Committee that the necessary repairs are now 90% complete. It is, therefore, his recommendation that the demolition process on this structure cease. The Committee concurs with this recommendation.

SIGNED

BY COUNCILMEMBER PATRICK LINDEMANN

That the report of the committee be adopted.

Carried unanimously; Councilmembers Adado and Ford absent

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install an on-street handicapper parking space, on Townsend Street reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install an on-street handicapper parking space, on Townsend Street be denied. The committee has reviewed the report from the administration and concurs that the the citizen request to install an on-street handicapper parking space, on Townsend Street be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmembers Adado and Ford absent

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The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install stop signs on Smith Avenue at Delevan Avenue, creating a four-way stop, reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install a four-way stop at Smith Avenue and Delevan Avenue be denied. The committee has reviewed the report from the administration and concurs that the citizen request to install stop signs on Smith Avenue at Delevan Avenue, creating a four-way stop, be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmembers Adado and Ford absent

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install stop signs on Smith Avenue at Stirling Avenue, creating a four-way stop, reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install a four-way stop at Smith Avenue and Stirling Avenue be denied. The committee has reviewed the report from the administration and concurs that the citizen request to install stop signs on Smith Avenue at Stirling Avenue, creating a four-way stop, be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmembers Adado and Ford absent

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install stop signs on Smith Avenue at Fletcher Avenue, creating a four-way stop, reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install a four-way stop at Smith Avenue and Fletcher Avenue be denied. The committee has reviewed the report from the administration and concurs that the request to install stop signs on Smith Avenue at Fletcher Avenue, creating a four-way stop, be denied.

Signed: James Crawford
Alfreda Schmidt
Charles Ford

Public Safety Committee

By Councilmember Crawford

That the report of the Committee be adopted.

Carried unanimously; Councilmembers Adado and Ford absent

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the petition for street barricades in the Baker/Bailey area,

REPORTS AS FOLLOWS: The Committee received testimony from LPD Assistant Chief David Sinclair and Captain James Rapp advising against installation of barricades because the area is served by two Community Policing beat officers. This was explained at a recent neighborhood meeting attended by more than 100 residents. The effectiveness of the community policing officers could not be accurately determined if barricades were also in place. The Committee concurred in the recommendation to deny the petition request for barricades.

BY COUNCILMEMBER CRAWFORD:

That the Committee Report be adopted.

YEAS: Belen, Benavides, Crawford, Schmidt

NAYS: Canady, Lindemann

ABSENT: Adado, Ford

RESOLUTIONS

Resolution #628
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-109, which authorizes the installation of stop signs on Stabler Street at the intersection of Hodge Avenue, creating a 4-way stop.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #629
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-096, which authorizes the installation of a no parking zone on Hapeman Street between Hyland Street and Willow Street.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #630
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-104, which authorizes the installation of stop signs on Wadsworth Drive at the intersection of Richmond Street, creating a four-way stop.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

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Resolution #631
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-097, which authorizes the installation of a stop sign on Executive Drive at Keystone Drive.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #632
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-098, which authorizes the installation of a four-way stop at the intersection of Burchfield Drive and Mason Street.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #633
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-099, which authorizes the changing of the existing yield signs on Wildwood Avenue at Samantha Avenue to stop signs.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #634
RESOLUTION BY COMMITTEE ON PHYSICAL DEVELOPMENT
November 15, 1990

P-1-89 Jet Place Subdivision Final Plat

WHEREAS Gary D. Arnold of Capitol Consultants, Incorporated, representing Mr. and Mrs. Robert Soltow and Mr. and Mrs. Keith Brandon, proprietors, requested final plat approval of Jet Place Subdivision, and

WHEREAS being found in substantial conformance with the final preliminary plat approved by the Lansing City Council on August 21, 1989, the Planning Board recommended approval of the final plat at their November. 7, 1990 meeting with conditions, and

WHEREAS sidewalks are not required due to the nonresidential use of the plat, and

WHEREAS the Lansing City Council Committee on Physical Development concurs therewith,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the final plat of Jet Place Subdivision with the following conditions:

1. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the signing of the plat and the affixing of the Municipal Seal.

2. That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

3. That all conditions of the preliminary plat be adhered to, and

BE IT FINALLY RESOLVED that the City Clerk is hereby authorized to seal the plat following the fulfillment of the conditions.

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #635
PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing: That the supplementary special assessment roll 293 for Curb & Gutter & Sidewalk.

Property Benefited: (PS 26040 C & G & Sidewalk) All lands fronting on W. side of John St. from Douglas S. to existing (approx. 116') & on E. side of John St. from Douglas S. to existing (approx. 80') excepting all public street & alleys & other lands deemed not benefited.

Property Benefited: (PS 86051 C & G) All lands fronting on W. Edgewood Road from Sommerset to east end of street at Rosedale excepting all public streets & alley & other lands deemed not benefited.

Property Benefited: (PS 14133 C & G) All lands fronting on Aragon Drive from Kuerbitz Drive east approximately 175 ft. to existing curb & gutter excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: (PS 14114 C & G) All lands fronting on Meadowlane Drive from the existing C & G at N. line Lots 262 & 263 of Waverly Heights No. 8 north to Delta River Drive excepting all public streets and alleys and other lands deemed not benefited.

ALL PROJECTS ARE INCLUDED IN THE LOCAL STREET RESURFACING CONTRACT—II, PS 36187.

Roll 293

	Estimated Cost	Actual Cost	Difference
Curb & Gutter	14,282.40	12,538.17	-1,744.23
Sidewalk	1,411.00	1,411.00	-0-
Total	**15,693.40**	**13,949.17**	**1,744.23**

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

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That the supplementary special assessment roll 296 for Curb & Gutter.

Property Benefited: (PS 65104 C & G) All lands fronting on Mary Avenue from S. Logan Street West 376 Feet excepting all public streets and alleys and other lands deemed not benefited.

Roll 296

	Estimated Cost	Actual Cost	Difference
Curb & Gutter	2,655.00	2,748.92	+93.92

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing: That the supplementary special assessment roll 298 Jolly Road Construction.

Property Benefited: (PS 67051 C & G) All lands fronting on E. Jolly Rd. from S. Pennsylvania Ave. to S. Cedar St. excepting all public streets & alleys & other lands deemed not benefitted.

Roll 298

	Estimated Cost	Actual Cost	Difference
Curb & Gutter	19,221.71	19,221.71	-0-

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing: That the supplementary special assessment roll 299 for Storm & Sanitary Sewer and Curb & Gutter for Phase I Edgewood Blvd. extension.

Property Benefited: (PS 85034) All lands fronting Edgewood Blvd. Extension from the end of the existing street at the west property line of Lot 10. Kahres Farm Subdivision to 1000 ft. west of Washington Avenue and to create a new right turn lane along S. Cedar Street onto Edgewood Blvd. beginning at a point approximately 2300 ft. north of Edgewood Blvd.

Roll 299

	Estimated Cost	Actual Cost	Difference
Curb & Gutter	20,775.18	20,775.18	-0-
Storm Sewer	72,611.81	72,611.81	-0-
San. Sewer	80,511.94	80,511.94	-0-
Total	**173,898.93**	**173,898.93**	**-0-**

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing: That the supplementary special assessment roll 301 for Curb & Gutter & Storm Sewer.

Property Benefited: (PS 27043 C & G) All lands fronting on May St. (N. side) from Maryland to June St. & on May St. (S. side) from Maryland east approx. 104 ft. to existing C & G, excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: (PS 46090 C & G & Storm) All lands fronting on Spring St. (both sides) from River St. west to end of St., excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: (PS 46090 C & G) All lands fronting on E. Hazel St. (both sides) from River St. to west end of street at Red Cedar River, excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: (PS 35043 C & G) All lands fronting on the north side of W. Ionia from N. Logan St. westerly 38 LF, in front of 1100 W. Ionia (Parcel 3301-17-255-121) excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: (PS 65117 C & G) All lands fronting on the south side of Reo Rd. from 162 ft. E. of Richmond St. to 300 ft. W. of Sidney St. excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: (PS 17033 C & G) All lands fronting on Seventh Avenue from Bates St. to Chilson Ave. excepting all public streets and alleys and other lands deemed not benefited.

All work is part of the 1987 CURB AND GUTTER NO. 1 CONTRACT, PS 46090)

Roll 301

	Estimated Cost	Actual Cost	Difference
Curb & Gutter	25,951.83	25,951.83	-0-
Storm Sewer	1,725.00	1,725.00	-0-
Total	**27,676.83**	**27,676.83**	**-0-**

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing: That the supplementary special assessment roll 303 for Storm Sewer and Curb & Gutter for Creston/Hi-Mount Contract PS 16046.

Property Benefited: (Storm Sewer and C & G) All lands fronting on

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Creston Avenue from Sheridan Road to 400 ft. south of Howe Street excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: Cross-lot storm sewer from outlet west of 200 blk. E. Frederick across Lot 159 Walker Heights No. 1 to Creston Ave. excepting all public streets and alleys and other lands deemed not benefited.

Property Benefited: Cross-lot storm sewer from outlet at west line of Lot 12, Heather Hill Sub. south along easement abutting Lots 150, 149, 148, & 147 Walker Heights No. 1 & the south line of Lot 13, Heather Hill Sub. excepting all public streets and alleys and other lands deemed not benefited.

Note: the Storm Sewer District benefiting from storm sewer installations described above include: Creston Avenue, W. Howe St., E. Frederick St., Lynwood Circle & Hi-Mount Circle.

Roll 303

	Estimated Cost	Actual Cost	Difference
Curb & Gutter	44,652.20	44,652.20	-0-
Storm Sewer	87,084.07	86,045.76	-1,038.31
Total	131,736.27	130,697.96	-1,038.31

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before

By Councilmember Canady:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution # 636
BY COMMITTEE ON WAYS AND MEANS 11/5/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$2,500.00 from Res. for Cont.—Ctrl.
A/C 101-173901-992200-13055
2,500.00 to City Council-Ctrl.
A/C 101-112101-992200-00000
(Fax machine for City Council -memo account 101-112101-977000-0 Equipment)

The Balance in the Reserve for Contingency Fund after this transfer is $247,077.00.

Submitted by:
Jan Lazar, Director of Budget & Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #637
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 317 North Pennsylvania Avenue, legally described as:

3301 15 152 181
Lot 1, Assessor's Plat No 4

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 27, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on November 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe:

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution November 13, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #638
BY THE COMMITTEE ON PUBLIC SERVICES

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RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 915 West Kalamazoo, legally described as:

301 17 476 311
W 1/3 Lot 4 & E 1/3 Lot 5, Block 9, Bush, Butler & Sparrow's Addition

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 27, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on November 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution November 13, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #639
BY THE COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1205-07 West Ionia Street, legally described as:

3301 17 258 311
W 3 R Lot 9, Block 2, Frenchs Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 27, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on November 5, 1990, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days fr m the date of this resolution November 13, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #640
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 124 Bell to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

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WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on December 3, 1990 in the 10th Floor Chambers of City Hall for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 124 Bell; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #641
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 414 N. Martin Luther King, Jr. Blvd./Logan St. to be an unsafe and dangerous building and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(e)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on December 3, 1990 in the Lansing Board of Education Meeting Room, 519 W. Kalamazoo Street, for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 414 N. Martin Luther King, Jr. Blvd./Logan St.; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing as required by City Code.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #642
BY THE COMMITTEE ON PUBLIC SERVICES
AND THE COMMITTEE ON WAYS AND MEANS

WHEREAS, funds were appropriated in the Fiscal Year 90-91 budget for the purpose of opening a Central Drop-off Recycling Center; and

WHEREAS, the funds designated for this program were held in abeyance pending the location of a site for the program and identification of site development costs; and

WHEREAS, a suitable site has now been located, site improvement costs have been funded, operating costs have been identified, and a tentative opening date of December 1, 1990, has been set;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves the execution of an amended contract with the Recyclers of Ingham, Eaton, and Clinton Counties for the following items;

1. $21,481 for the operation of Saturday drop-off sites located at Logan Center, Frandor, and Waverly from July I through November 30, 1990.

2. $11,519 for continuation of the Saturday drop-off sites located at Frandor and Waverly from December 1, 1990, through June 30, 1991.

3. $48,500 for the operation of a Central Drop-off Center from December 1, 1990, through June 30, 1991.

4. Up to a maximum of $18,513 for site improvements, and for lease of equipment at the Central Drop-off Site pending receipt of the permanent equipment.

5. $58,000 and any residual funds from item #4 to provide waste reduction education and to promote recycling programs.

6. Lease of permanent equipment (when available) for $1 per year, renewable yearly.

and,

BE IT FURTHER RESOLVED the City Council requests that the Mayor proceed with execution of an amended contract as quickly as possible.

By Councilmembers Benavides and Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #643
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of David Larson to the Mechanical Board for a term to expire June, 1994, is hereby confirmed.

By Councilmember Lindemann:

Carried unanimously; Councilmembers Adado and Ford absent

RESOLUTION NO.
BY THE ECONOMIC DEVELOPMENT COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council granted an Industrial Facilities Exemption Certificate #80-406 in 1980 to Lindell Drop Forge, 2830 S. Logan Street, Lansing, Michigan, for a period of twelve years; and

WHEREAS, Lindell Drop Forge has closed their factory at 2830 S. Logan Street, and are no longer in compliance with the original intent of the tax abatement granted to that facility; and

WHEREAS, due notice has been given for a public hearing on the revocation of the exemption certificate granted; and

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WHEREAS, at such hearing held on the 5th day of November, 1990, all parties interested therein were heard and given due consideration; and

NOW, THEREFORE, BE IT RESOLVED that this Council finds that no good cause exists as to why the holder of the certificate has failed to comply with the terms and conditions imposed by State statute and Council policy;

NOW, THEREFORE, BE IT FURTHER RESOLVED the Council of the City of Lansing hereby immediately revokes the Industrial Facilities Exemption Certificate #80-406 granted in 1980 to Lindell Drop Forge, 2830 S. Logan Street, Lansing, Michigan;

NOW, THEREFORE, BE IT FINALLY RESOLVED that the City Clerk shall mail a copy of this resolution to the holder of the certificate and shall record a copy of this resolution with the Ingham County Register of Deeds.

PULLED AND RETURNED TO THE
ECONOMIC DEVELOPMENT COMMITTEE

Resolution #644
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council granted a Commercial Facilities Exemption Certificate #85-012 in 1985 to Anthony T. Randall, 303 S. Washington Square, Lansing, Michigan, for a period of twelve years; and

WHEREAS, the granting of this certificate was contingent upon the condition that a substantial amount of remodeling be done to the structure at 303 S. Washington Square, and a subsequent review of the referenced property revealed the improvements were never completed; and

WHEREAS, due notice has been given for a public hearing on the revocation of the exemption certificate granted; and

WHEREAS, at such hearing held on the 5th day of November, 1990, all parties interested therein were heard and given due consideration; and

NOW, THEREFORE, BE IT RESOLVED, that this Council finds that no good cause exists as to why the holder of the certificate has failed to complete the facility within the time frame authorized by Council; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Council of the City of Lansing hereby immediately revokes the Commercial Facilities Exemption Certificate #85-012 granted in 1985 to Anthony T. Randall, 303 S. Washington Square, Lansing, Michigan;

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Clerk shall mail a copy of this resolution to the holder of the certificate and shall record a copy of this resolution with the Ingham County Register of Deeds.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Ford absent

Resolution #645
BY COMMITTEE ON WAYS AND MEANS 11/19/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$4,800.00 from Parks & Rec.—Bgt. Ctrl.
A/C 101-783860-992200-00000
4,800.00 to Capital Imp. Prog.—Bgt. Ctrl.
A/C 101-933901-992200-13001
(Funds necessary for temporary bridge at Red Cedar River to facilitate winter construction work on hiking/biking path. To memo account 101-933890-974000-13040. Construction necessitated due to the delay in receipt of funds from DNR.)

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Ford absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

By Councilmember Canady:

That we move to passage of ordinances and that, when the ordinance is read, it be considered as being read in its entirety.

Carried unanimously; Councilmembers Adado and Ford absent.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-15-90—2535 E. Mt. Hope Avenue to be rezoned from "A" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

That this be considered as being read in its entirety.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-15-90—2535 E. Mt. Hope Avenue to be rezoned from "A" Residential District to "D-1" Professional Office District be now passed.

YEAS: Belen, Benavides, Canady, Crawford, Lindemann, Schmidt

NAYS: None

ABSENT: Adado, Ford

ORDINANCE #2324
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN,

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PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-15-90, 2535 East Mt. Hope Avenue
Parcel Number: 3301-23-376-102

Legal Description: The south 297 feet of Private Road "A" and the east 66 feet of the south 200 feet of Lot 33, Supervisor's Plat of Fidelity Farms, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 15 of Plats, Page 7, Ingham County records

From "A" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate effect by the City Council.

CONSIDERATION OF LATE ITEMS

1/ Transfer of Funds for parks Department for $4,800.00

(Handled as Resolution #645)

2/ Substitute for Resolution #XI-B2 (Central Drop-off Recycling Center)

(Handled as Resolution #642)

3/ Ordinance passage for Z-15-91; 2535 E. Mt. Hope Avenue

(Handled as Ordinance #2324)

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

To excuse Councilmembers Adado and Ford from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

Frank Curtis of 1137 W. Allegan stated that he felt we were making a mistake getting involved with troops in the Persian Gulf.

Debra Smith and Linda Steele of Beechfield Avenue requested petitions be provided to them so that they could circulate them to request community policing of their neighborhood. The City Clerk's Office was directed to send them the necessary petition forms.

John Ouderkutz of 7031 E. State Road wished to thank Councilmembers for passage of the ordinance for Z-15-90.

Ken Trantham of 218 S. Hayford spoke regarding a notice he received for trash violation and subsequent problems he had trying to take care of this matter.

James Derocco of 3815 Donald Street stated that he felt more policemen should be placed on foot patrols in the neighborhoods to combat crime. He stated that he hoped funds seized during drug raids are used for help in the drug enforcement arena. He also stated that he had not heard anything about his proposal for a think tank of concerned residents and others to work on solutions to Lansing-area problems.

Dennis Zwick of 8322 Wheaton, Charlotte, representing the Michigan Association of Animal Owners, stated that they would be happy to provide input for the proposed exotic/wild animal ordinance. He said that this proposed ordinance should be carefully researched and investigated to avoid problems in enforcement.

Andrew Anthos stated that he has completed his petition drive for lighting of the Capitol Dome on holidays and that he expects to receive some action on these petitions by December 31, 1990.

REMARKS BY THE MAYOR of EXECUTIVE ASSISTANT

Mayor McKane stated in response to comments by James Derocco that funds seized during drug raids go back to fund the drug enforcement activities. He also stated that he has been working on Mr. Derocco's idea for a think tank.

Mayor McKane stated that City Hall will be closed on 11/22 and 11/23/90 for the Thanksgiving Holiday and that there will be no trash pick-up for Thursday, 11/22/90.

REMARKS BY COUNCILMEMBERS

Councilmember Canady announced that he and his wife are the proud parents of a new baby boy.

Councilmember Schmidt wanted to know what the cut-off date is for bulk trash pick-up. Ray Severy responded that he thought it was 12/1/90 but it is in the information included with City garbage bags.

Councilmember Benavides announced that the Ways and Means Committee will be meeting on Wednesday, 11/21/90 at 3:00 P.M. instead of on Tuesday. He also requested viewers to do what they could to support area food banks as they are low on inventory. He said that Cristo Rey will be open for Thanksgiving dinner and that they are expecting approximately 150 people for this dinner.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 9:05 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, November 26, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
November 26, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Crawford, Ford, Lindemann, Schmidt

ABSENT: Councilmembers Adado and Canady

The Invocation and Pledge of Allegiance were led by Councilmember Benavides.

By Councilmember Schmidt:

That the minutes of Council proceedings for October 26 and November 5, 1990, be approved as printed.

Carried unanimously; Councilmembers Adado and Canady absent

CONSIDERATION OF LATE ITEMS

By Councilmember Crawford:

To accept the following under suspension of the rules:

1/ Resolution to set a public hearing for an Industrial Facilities Exemption Certificate for Ameritainer, Inc.

2/ Resolution for transfer of funds

3/ Resolution regarding Michigan Equity Grant

4/ Resolution welcoming Cesar Chavez to Lansing

5/ To receive a resolution submitted by Neighbors United in Action and to allow members of this group to speak at the first Public Comments

Carried unanimously; Councilmembers Adado and Canady absent

PUBLIC HEARINGS

There were no scheduled public hearings.

PUBLIC COMMENTS

Randall Dibble, President of Neighbors United in Action, spoke in support of barricades being placed in the Baker/Bailey area if Baker Street is included in the area to be barricaded. The following members of this group also spoke in support of the barricade request:

-Dorothy Carr of 1712 Linval
-Dave Layceka of 1634 Linval
-Julie Teed of 701 Baker
-Lorraine M. Karas-Dibble of 1604 Bailey

Mark Laneer of Michigan State University stated that they are doing a research study of community policing in this area and that since the barricades were not included in the study, it might be difficult and costly to add them at this date.

Councilmember Crawford announced that this matter will be taken up by the Committee on Public Safety on December 13th.

SPECIAL CEREMONIES

There were no Special Ceremonies.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Adado absent.

A. Letter from Andrew MacDonald, General Manager of WKKP/WILS, requesting Extension of Time Period for Payment of Special Assessment

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Notice received from the Department of Natural Resources regarding Clean Michigan Community Project's Planning Schedule

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Letter received from the Teamsters and Chauffeurs Local Union No. 580 regarding the Birth and Death Office

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letter from Christopher Lewis protesting City Parking Policies

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

E. Letter from Delma Lopez of the Lansing Housing Commission enclosing their 1989 Report of Fiscal and Development Status

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane stated that he had no communications for the agenda due to the Thanksgiving short work week.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

APPROVALS:

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Resolution #646
November 26, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Frederick Richard McCarrick, Eric Paul Holmes, Brian Taylor Campbell, Donald Edward Chippewa, Jeffrey Allan Merritt, Harold Duane Cole

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously; Councilmembers Adado and Canady absent.

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 19, 1990 For Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk regarding Shows being Held at the Lansing Civic Arena without Proper Licensing

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #647
BY: THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the City Council of the City of Lansing, October 17, 1988, unanimously adopted Resolution No. 552 authorizing the sale of a former pumping station site located at 705 South Hayford Street at a value assigned by the City Assessor; and

WHEREAS, an offer to purchase this property has been received from Gregory P. Byrd and Lana Rae Byrd; and

WHEREAS, this offer to purchase is of a value less than the value assigned by the City Assessor; and

WHEREAS, the property is located in the floodplain and has extensive amounts of subsurface foundations and debris; and

WHEREAS, the City administration has recommended that the offer to purchase be accepted in order to eliminate on-going maintenance costs and return this property to the tax rolls; and

WHEREAS, Gregory P. Byrd and Lana Rae Byrd have indicated that the terms and conditions set forth below for the sale are acceptable; and

WHEREAS, the Committee on Physical Development concurs in the recommendation of the City administration;

NOW, THEREFORE, BE IT RESOLVED that the sale of the property described as Lots 177, 178, 179 and 180 of Lansing Addition Company's Subdivision (being Permanent Parcel 3301-23-105-011) to Gregory P. Byrd and Lana Rae Byrd for $900.00 be approved, provided that they agree to maintain the property in conformity with all laws; that they not build or maintain any structures on the property; and that they not use the property in any way which would violate Federal, State or Local pollution or contamination laws.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #648
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 1990 Census will provide essential population statistics governing federal funding allocations and political representation for the next decade; and

WHEREAS, the 1990 Census has been fraught with numerous operational problems; and

WHEREAS, the Census Bureau has acknowledged undercounts in past censuses; and

WHEREAS, the 1990 Census is projected to contain not only an undercount of minorities but of non-minorities as well; and

WHEREAS, the preliminary census counts understated the population of Lansing by an estimated 5,813 residents, according to the Department of Planning and Municipal Development; and

WHEREAS, the undercount is projected to have a disproportionately adverse impact upon the nation's urban areas such as Lansing; and

WHEREAS, the Census Bureau has developed a statistical methodology for correcting the undercount but the Commerce Department has refused to use this corrective mechanism; and

WHEREAS, federal disinvestment in key urban funding, combined with federal restrictions on tax exemption, have threatened and continue to threaten cities' abilities to cope with growing social and financial problems; and

WHEREAS, the Constitution of the United States clearly states that all persons must be counted; and

WHEREAS, the Lansing City Council believes that all persons count;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council urges Congress and the President to enact legislation mandating a statistical correction of the 1990 Census; and

BE IT FURTHER RESOLVED the Council urges the President and the Secretary of Commerce to administratively agree to statisti-

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cally correct the 1990 Census so as to reflect an accurate enumeration of the nation's population; and

BE IT FINALLY RESOLVED that lacking legislative or administrative remedies, the City of Lansing supports judicial action to effect a statistical correction of the 1990 Census.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #649
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Timothy S. Puente has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant has been convicted of a felony or one or more sex-related misdemeanors within five years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (6) and 872.23 (b) (7) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Timothy S. Puente for a public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the City Clerk shall notify the applicant of the Council's findings and conclusion.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #650
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Gene Turnwald filed a claim against the City of Lansing in the amount of $4,510.70 for allegations that he lost rent at his property located at 611 West Lapeer; and

WHEREAS, the City Attorney's recommendation was to deny the claim, and reported same to the claimant; and

WHEREAS, Mr. Turnwald appealed the decision of the Attorney's Office; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the City Attorney's Office and the appeal, and approved with the City Attorney's Office recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the City Attorney's Office to deny the claim of Eugene Turnwald; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #651
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Rick White filed a claim against the City of Lansing in the amount of $367.19 for damages allegedly sustained to his motorcycle; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee's recommendation was to deny the claim, and reported same to the claimant; and

WHEREAS, Rick White appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and approved to concur with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Mr. Rick White; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #653
ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District 3 on property at 5511 Enterprise Drive, more fully described on Attachment A; and

WHEREAS, Ameritainer, Inc. has applied for an Industrial Facilities Exemption Certificate for the installation of new manufacturing equipment at 5511 Enterprise Drive; and

WHEREAS, it is necessary to hold a public hearing prior to this council's taking action on Ameritainer's application for an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED that the City Clerk give at least ten (10) days notice of a public hearing when all persons

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interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District; and

BE IT FINALLY RESOLVED that such hearing shall be held at the Board of Education Meeting Room, Lansing School District Administration Building, 519 W. Kalamazoo, Lansing, Michigan on Monday, December 10, 1990 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Crawford:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #654
BY COMMITTEE ON WAYS AND MEANS 11/19/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$136,400.00 from Est. Rev. A/C 101-000000-170001-00000
136,400.00 to Capital Imp. Prog.—Bgt. Ctrl.
A/C 101-933901-992200-13001
($71,400 pledged Friends of Turner Dodge House for master plan (to memo account 101-933890-975000-13022); $65,000 pledged from Friends of the Zoo for moated exhibit re-design (to memo account 101-933890-974000-13067).

$5,424.00 from Est. Rev. A/C 584-000000-170001-00000
5,424.00 to Bgt. Ctrl. A/C 584-783850-992200-00000
(Rental of eight gas carts for use at Red Cedar Golf Course. Estimated proceeds are $6,000. To memo account 584-783852-940000-0.)

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

APPROVED:

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #655
COMMITTEE ON WAYS AND MEANS November 8, 1990

WHEREAS the City of Lansing received for 1990 a Michigan Equity Grant in the amount of $500,000 to be used for various projects specified in the grant agreement between the State of Michigan and the City, and

WHEREAS the Arts Council Center received $55,000 as part of the grant for the purpose of paying in part the cost of expanding their facility located at 425 South Grand Avenue in the City, and

WHEREAS the Arts Council Center has decided to put temporarily on hold expansion plans in an effort to more fully explore alternative choices to meet current and future space needs, and

WHEREAS the Arts Council Center requests that the Equity funds for the project be used instead to make other needed improvements to their facility including repair and/or replacement of the heating and cooling system, removal of asbestos and other general improvements to rearrange existing office space and add lighting, and

WHEREAS the Lansing City Council concurs with this request,

NOW THEREFORE BE IT RESOLVED that the project to expand office space for the Arts Council Center be amended to allow for improvements to the heating and cooling system of the Center and other general improvements as requested, and that the Administrator of the Grant is directed to formally request that the State of Michigan approve the amendment.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Canady absent

Resolution #656
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cesar Chavez is touring the United States and speaking to the American people on the continuing plight of farm workers, whose everyday lives are torn between the economic hazards of seasonal unemployment and the health hazards of pesticides on the job; and

WHEREAS, Mr. Chavez will speak at Michigan State University on Tuesday, November 27, 1990, as part of his tour;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 26th day of November, 1990, hereby welcomes CESAR CHAVEZ to the Lansing area.

By Councilmember Benavides:

Carried unanimously; Councilmembers Adado and Canady absent

INTRODUCTION OF ORDINANCE

ELIMINATING REQUIREMENT FOR PENAL BOND FOR SHOWS HELD AT LANSING CONVENTION/EXHIBITION HALL AND/OR LANSING CIVIC ARENA

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider amending Chapter 860, Section 860.04, for the purpose of eliminating the requirement that shows held at the Lansing Convention/Exhibition Hall and/or the Lansing Civic Arena have a show license.

By Councilmember Schmidt:

Resolution #652
RESOLUTION SETTING PUBLIC HEARING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 10, 1990 at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering amending Chapter 860, Section 860.04, for the purpose of eliminating the requirement for a penal bond for shows held at the Lansing Convention/Exhibition Hall and/or the Lansing Civic Arena.

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By Councilmember Schmidt:

Carried unanimously; Councilmembers Adado and Canady absent

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 8, SECTION 860.02 OF CHAPTER 860 OF THE LANSING CODE OF ORDINANCES FOR THE PURPOSE OF EXEMPTING FROM THE REQUIREMENT THAT SHOWS BE LICENSED, ANY SHOWS HELD IN THE LANSING CENTER AND/OR THE LANSING CIVIC ARENA.

The City of Lansing ordains:

Section 1. That Part 8, Chapter 860 of the Code of Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

860.02 LICENSE REQUIRED; APPLICATION; EXCEPTION.

(a) No person shall sponsor, operate, exhibit or perform, or cause to be operated, exhibited or performed, any show in the City without first obtaining a license therefor.

(b) THIS CHAPTER OR ANY OF ITS PROVISIONS SHALL NOT APPLY TO ANY SHOW HELD OR SCHEDULED TO BE HELD IN THE LANSING CENTER AND/OR THE LANSING CIVIC ARENA.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS

1/ Resolution to set a public hearing for an Industrial Facilities Exemption Certificate for Ameritainer, Inc.

(Handled as Resolution #653)

2/ Resolution for transfer of funds

(Handled as Resolution #654)

3/ Resolution regarding Michigan Equity Grant

(Handled as Resolution #655)

4/ Resolution welcoming Cesar Chavez to Lansing

(Handled as Resolution #656)

5/ To receive a resolution submitted by Neighbors United in Action and to allow members of this group to speak at the first Public Comments

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Councilmember Schmidt also requested consideration of an additional late item to support Vickie Golman's nomination to the Board of Directors for the National League of Cities. A vote of 6/0 was taken in support of this but no resolution was submitted to support this vote.

TABLED ITEMS

Resolution #657
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Luba Millis filed a claim against the City of Lansing in the amount of $151.84 for replacement of a damaged brass vase at Evergreen Cemetery; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee concurred with the City Attorney's recommendation to deny the claim, and reported same to the claimant; and

WHEREAS, Yvonne Evanoff-Joseph, niece of Luba Millis, appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and also reviewed a video tape of the actual vase in question which showed that the vase installation was not in compliance with the cemetery rules, and concurred with the Claims Review Committee's recommendation to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Claims Review Committee to deny the claim of Luba Millis; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Ford:

To remove this item from being tabled.

Carried unanimously; Councilmembers Adado and Canady absent

By Councilmember Lindemann:

Roll call vote:

YEAS: Belen, Benavides, Crawford, Lindemann

NAYS: Ford, Schmidt

ABSENT: Adado, Canady

Motion fails

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

That Councilmembers Adado and Canady be excused from tonight's session.

Carried unanimously.

PUBLIC COMMENTS

John Harrison of 1129-½ S. Washington stated that he feels what is needed in the Baker/Bailey area is for the community to be actively involved with the police and other agencies.

Ralph Overton of 314 Mosley stated that he encountered problems

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receiving a copy of a death certificate from both the City of Lansing and Ingham County on 11/15/90.

James Derocco of 3815 Donald St. requested assistance in providing requirements for a charitable collection for the homeless that he would like to organize.

Andrew Anthos called for the Mayor and Councilmembers to support him in his drive for lighting of the Capitol dome on holidays.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane stated that the last bulk item pickup for 1990 will be on 11/30/90 and that bulk pickup will resume again in March of 1991. The Mayor also reminded everyone that the fall leaf pickup for 1990 will also end on December 7th.

Mr. Boyd mentioned that Judge Davis and Judge Thomas are both in Sparrow Hospital and extended wishes for a speedy recovery to them both.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt invited anyone interested to attend the South Lansing Business Association meeting on Wednesday, 11/28/90 at the Elks Club. She also stated that she had received a letter from the Department of Transportation stated that they agreed that a traffic signal is justified at the Jolly Road exit.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 8:25 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, December 3, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
December 3, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Lindemann

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

By Councilmember Schmidt:

That the printed Council proceedings for November 9, 1990 be approved.

Carried unanimously; Councilmember Lindemann absent

CONSIDERATION OF LATE ITEMS

By Councilmember Ford:

To accept the following under suspension of the rules:

1/ Letter and proposal from Jacqueline Warr regarding Purchase of Trash Bags for Low-Income Lansing Residents

2/ Request to move the passage of Resolution agenda #XII-C to Special Ceremonies so that the presentation can be made to Rev Hopkins

Carried unanimously; Councilmember Lindemann absent

PUBLIC HEARINGS

A. Make-safe or demolish for property located at 124 Bell

David Waltz of 910 Porter, Apt. # 3, stated that he is the new owner of the property and that he is working on making the necessary repairs. The prior owner of the property was also present and stated that he felt Mr. Waltz was making good progress on the needed repairs.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. Make-safe or demolish for property located at 414 N. Dr. Martin Luther King, Jr. Blvd./Logan Street

There were no speakers for this Public Hearing.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENTS

There were no public comments.

SPECIAL CEREMONIES

Under suspension of the rules, the resolution honoring Rev Hopkins on his 80th birthday was adopted at this time. Council President Belen made the presentation of the resolution to Mr. Hopkins. The resolution itself is included as Resolution #668.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously; Councilmember Lindemann absent

A. Notice received from the Department of Natural Resources that fill material has been placed in a regulated wetland on property owned by the Board of Water and Light

RECEIVED AND PLACED ON FILE

B. Notice received from the Department of Natural Resources of a permit being granted to construct a 66 x 99 foot addition to an existing building in the floodplain of the Grand River

REFERRED TO THE MAYOR

C. Claim for over $1,000 filed by DTF, Inc., 316 N. Capitol

REFERRED TO THE MAYOR AND
THE CITY ATTORNEY

MAYOR OR EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd commented on letters D1, D3, D4, D5, D6 and D7 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

APPROVALS:
Resolution #658
December 3, 1990
President Belen and members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Ronnie Hudson, Aaron Forrest Ames

Sincerely,
James D. Blair, City Clerk
City of Lansing

Motion by Councilmember Benavides:

Resolution by the City Council, City of Lansing, to accept the

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recommendations of the Clerk.

Carried unanimously; Councilmember Lindemann absent.

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 26, 1990 For Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney:

1.

Resolution #659
November 29, 1990
Council President Lucile Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

RE: HIGHLAND COOPERATIVE; MICHIGAN TAX TRIBUNAL DOCKET NO. 110369; RECOMMENDATION FOR SETTLEMENT OF TAX ASSESSMENT APPEAL

Dear Council President Belen and Members:

The Highland Cooperative appeal before the Michigan Tax Tribunal involves the following nine (9) properties:

3305-08-126-021	3305-08-178-001	3305-08-127-021
3305-08-126-001	3305-08-127-061	3305-08-201-001
3305-08-127-031	3305-08-127-001	3305-08-201-011

The development is a subsidized housing project located in the area south of Miller Road and north of I-96 in the Miller and Haag Road area. This development contains 414 dwelling units with a community building.

A "review appraisal" of the subject property was completed, which considered all the data submitted by the property owner. As a result of this review, we would recommend the acceptance of the following stipulated values.

YEAR	PETITIONER'S REQUEST	ASSESSED VALUE	STIPULATED VALUED	CITY TAX DIFFERENCE
1987	$1,700,000	$3,118,000	$2,216,600	$ 13,881.56
1988	1,700,000	2,500,100	2,158,100	5,266.80
1989	1,700,000	2,500,100	2,184,000	4,867.94
1990	1,700,000	2,500,100	2,269,000	3,683.73

The above represents a total assessed value for the nine (9) properties in question. It should be emphasized that the Mayor, Ways and Means Committee and Assessor's Office concur in this recommendation. In addition, the City shall pay no interest if the matter is settled based upon the figures stated above.

As always, should you have any questions or require further clarification, please feel free to contact me.

Thank you.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendation of the City Attorney.

Carried unanimously; Councilmember Lindemann absent

2.

Resolution #660
November 29, 1990
Council President Lucile Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

RE: GLEN TUCKER v CITY OF LANSING; WORKERS' COMPENSATION CLAIM RECOMMENDATION FOR REDEMPTION

Dear Council President Belen and Members:

On May 24, 1989 a City employee, while in the course of his employment, was operating a City vehicle when he experienced an acute onset of unresponsiveness and passed out. Upon being found in the vehicle, he was transported to the emergency room of Sparrow Hospital, where he was admitted under the care of Drs. Rawsthorne and Jacubiak due to his medical condition.

Upon reviewing applicable law, settlement discussions were entertained and a tentative settlement was reached. This consists of the payment of $3,000 for any and all expenses. Moreover, it would preclude the employee from filing any further claims against the City. It is the recommendation of this office, as well as of the Mayor, Personnel Department and Ways and Means Committee that this settlement be approved.

As always, should you have any questions or require additional information, please feel free to contact me.

Thank you.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides: Carried unanimously; Councilmember Lindemann absent

D. Letters from the Mayor re:

1. Property Tax Payment Sites

RECEIVED AND PLACED ON FILE

2. Appointment of Jan Lazar as Chairperson of the General Finance Officers Association Board on Government Budgeting and Management

RECEIVED AND PLACED ON FILE

3. Appointment of Michael Cole to the Board of Review

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4.

Resolution #661
November 28, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

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I herewith submit for your consideration the appointment of Charles S. Greenburg, 601 N. Cedar, Lansing, MI 48912 to the Tri-County Senior Citizens Advisory Board.

This appointment replaces Wilbur Myers, and the term will expire December, 1994.

Confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides:

Carried unanimously; Councilmember Lindemann absent

5. Appointment of Warren Eddie to the Senior Citizens Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. Appointment of Mary Margaret Murphy-Woll to the Park Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7.
Resolution #662
November 28, 1990
Council President Lucile Belen and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Belen and City Councilmembers:

I herewith submit for your consideration the reappointment of Harold Moore, 314 W. Randolph, Lansing, MI 48906 to the Board of Review. This term will expire June, 1994.

Confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

8. Flood Insurance Rate Map dated November 16, 1990

RECEIVED AND PLACED ON FILE

9. Letter from Oliver Towers Resident Council Commending Selection of Jonna Development Proposal

RECEIVED AND PLACED ON FILE

10. Letter from Convention/Visitors Bureau regarding Hotel Room Tax Increase

RECEIVED AND PLACED ON FILE

11. Traffic Control: Balfour Drive and Georgetown Boulevard

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Traffic Control: Bayview Drive and Woodcreek Lane

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Traffic Control: Bedford Road and Cambridge Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. Traffic Control: Beechwood Avenue and Palmer Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

15. Traffic Control: Georgetown Boulevard and Haag Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

16.
Resolution #663
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: November 21, 1990
SUBJ: Trash Violation Fee (V-22)—$1119.37

The attached assessments/violation fees for trash removal in the R.0.W. are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford:

Carried unanimously; Councilmember Lindemann absent

17. SLU-14-90, 1419/1421 West Holmes Road

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

18. SLU-17-90, 5400 Dr. Martin L. King Jr. Blvd./Logan Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

19. Z-24-90, 1210 West Ionia Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

20. Z-22-90, 216 West Lapeer Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolution #664
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: November 29, 1990
SUBJ: Trapper's Cove #5 Subdivision—Request for Release of Financial Security

The attached request from Finance Director Stephen Duarte is forwarded with my concurrence for your review and appropriate action.

By Councilmember Schmidt:

Resolved by the City Council, City of Lansing, to accept the recommendation of the Mayor and the Finance Director.

Carried unanimously; Councilmember Lindemann absent

November 29, 1990
Mayor Terry J. McKane
9th Floor, City Hall
Lansing, MI 48933

Re: Trapper's Cove #5 Subdivision

As required by Chapter 1238.10(a) of the Codified Ordinances of

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the City of Lansing, Michigan, I request permission to release $7,780.00 in financial security held by the City to ensure the completion of required public improvements at the above referenced subdivision. Attached please find letters from the Public Service Department and Parks and Recreation recommending this action.

All public improvements for the above referenced subdivision have been completed. The City requires that no further security be retained.

Respectfully submitted,
Stephen W. Duarte, Director of Finance/City Controller

22. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports.

RESOLUTIONS

Resolution #665
SLU-17-90 November 30, 1990
5400 Block Dr. Martin Luther King, Jr. Blvd./South Logan Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, December 17, 1990 at 7 p.m. in Board Room 106, Lansing School District Administration Building, 519 West Kalamazoo Street, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use request by Reverend Philip Owens of Immanuel's Temple Community Church to develop a new church in the 5400 Block of Dr. Martin Luther King, Jr. Blvd./South Logan Street.

By Councilmember Canady:

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #666
SLU-14-90 November 30, 1990
1419-1421 West Holmes Road

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, December 17, 1990 at 7 p.m. in Board Rooom 106, Lansing School District Administration Building, 519 West Kalamazoo Street, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use request by Reverend Hawkins for the Tithe Missionary Baptist Church to construct a new church on property located at 1419/1421 West Holmes Road.

By Councilmember Canady:

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Lindemann

Resolution #667
At a regular meeting of the City Council of the City of Lansing, Michigan, held on the 3rd day of December, 1990, at 7:00 o'clock p.m. in the 1st Floor Conference Room of the Board of Education Building, 519 West Kalamazoo Street, Lansing, Michigan.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Lindemann

The following resolution was offered by Councilmember Benavides and seconded by.

WHEREAS, the City of Lansing (the "City") desires to make repairs, extensions, enlargements and improvements to the sewage disposal system of the City including the design for Phase I of the combined sewer overflow corrections, replacement of the Potter Park lift stations, improvements to the East Jolly Road and Rivers Edge pump stations, the design and construction of a new Lansing Avenue Force Main, the design and replacement of the existing Mifflin Street Sanitary Sewer, installation of seventeen pumping station bypasses, installation of a sanitary sewer on Kalamazoo Street, replacement of the Lapeer Street Sanitary Sewer, removal of Grand Avenue catch basin and extension of the Center Street sanitary sewer (the "Project"); and

WHEREAS, the City of Lansing proposes to pay all or part of the cost of the Project with the proceeds of revenue bond to be issued pursuant to Act 94, Michigan Public Acts of 1933, as amended.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, MICHIGAN, AS FOLLOWS:

1. The Clerk is hereby authorized and directed to cause the following notice to be published and prominently displayed once in the Lansing State Journal:

NOTICE OF INTENTION OF THE CITY OF LANSING, MICHIGAN TO ISSUE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED $3,500,000 AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO ALL ELECTORS AND TAXPAYERS OF THE CITY OF LANSING AND OTHER INTERESTED PARTIES:

NOTICE IS GIVEN, that the City of Lansing, Ingham and Eaton Counties, Michigan, intends to authorize the sale, issuance and delivery of revenue bonds in the principal amount of not to exceed $3,500,000 pursuant to Act 94, Michigan Public Acts of 1933, as amended, for the purpose of paying all or part of the cost of repairs, extensions, enlargements and improvements to the sewage disposal system of the City including the design for Phase I of the combined sewer overflow corrections, replacement of the Potter Park lift stations, improvements to the East Jolly Road and Rivers Edge pump stations, the design and construction of a new Lansing Avenue Force Main, the design and replacement of the existing Mifflin Street Sanitary Sewer, installation of seventeen pumping

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station bypasses, installation of a sanitary sewer on Kalamazoo Street, replacement of the Lapeer Street Sanitary Sewer, removal of the Grand Avenue catch basin and extension of the Center Street sanitary sewer.

The net revenues of the sewage disposal system of the City of Lansing will be pledged to the payment of principal of and interest on the bonds. In the event the bonds are sold to the Michigan Municipal Bond Authority, the share of the Michigan Income Tax, Michigan Sales Tax and Michigan Intangibles Tax which will become distributable to the City of Lansing may also be pledged to the payment of the principal of and interest on the bonds.

The maximum amount of the bonds to be issued is $3,500,000.

The bonds will be issued in one or more series and each series will mature in not to exceed 30 annual installments with interest at a rate not to exceed 13% per annum on the unpaid principal balance of the bonds from time to time outstanding.

RIGHT TO PETITION FOR REFERENDUM

THIS NOTICE IS GIVEN to and for the benefit of the electors and taxpayers of the City of Lansing and other interested parties in order to inform them of the intention of the City of Lansing to sell, issue and deliver the bonds and also to inform them of the right to petition for a referendum upon the question of selling, issuing and delivering the bonds. The City of Lansing intends to sell, issue and deliver the bonds without a vote of the electors thereon, but the City of Lansing will not sell, issue and deliver the bonds until 45 days after publication of this notice. If, within the 45-day period, a petition for referendum requesting an election on the sale, issuance and delivery of the bonds, signed by not less than 10% or 15,000 of the registered electors of the City of Lansing, residing within the City of Lansing, whichever is less, has been filed with the City Clerk, the City of Lansing will not sell, issue or deliver the bonds unless approved by a majority of the electors of the City of Lansing voting thereon at a general or special election.

This notice is given by order of the City of Lansing pursuant to Act 94 of the Public Acts of Michigan, 1933, as amended. Further information may be secured at the office of the undersigned City Clerk.

Dated: , 1990

James D. Blair, City Clerk
City of Lansing, Michigan

2. It is determined that the above notice provides information to adequately inform the taxpayers and electors of the City of Lansing of the nature of the bonds to be issued, the obligation to be undertaken by the City of Lansing and of their right to file a petition for a referendum requesting an election on the issuance of the bonds.

It is found and determined that the Lansing State Journal is a newspaper of general circulation in the City of Lansing and is the newspaper reaching the largest number of persons to whom the notice is directed.

3. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Lindemann

RESOLUTION ADOPTED.

Resolution #668
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on December 8, 1990, family and friends will gather at Lenny's Restaurant to celebrate the 80th birthday of one of our City's most active senior citizens, JAMES REVELL "REV" HOPKINS; and

WHEREAS, Rev has lived in Lansing all his life, graduating from Eastern High School in 1930 and working locally prior to his retirement at age 65 after 27 years with the Builders Exchange, during which he served the North School Board of Education for 9 years in what was then Delhi Township, and led the way for this district to annex to the City and the Lansing Public Schools; and

WHEREAS, Rev's retirement was a new beginning as he became even more actively involved in his community, organizing and joining countless senior citizen groups and committees, including those affiliated with his church, Immaculate Heart Of Mary, plus City and school district planning committees; and

WHEREAS, in his 80 years, Rev has traveled to every state, Canada, the United Kingdom, and the Bahamas, extending the hand of friendship and cheerleading for Michigan's Capital City wherever he went;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 3rd day of December, 1990, hereby salutes REV HOPKINS, on the occasion of his 80th birthday, for his many years of outstanding service to the people of this City.

By Councilmember Schmidt:

Carried unanimously; Councilmember Lindemann absent

Resolution #669
Resolved by the City Council, City of Lansing, to set a special Council meeting for December 6, 1990, at 3:45 P.M. in the 10th Floor City Hall Committee Room for awarding of Environmental Bonds.

By Councilmember Benavides:

Carried unanimously; Councilmember Lindemann absent

Resolution #670
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, our entire community went into mourning on November 27, 1990, when Councilmember Louis F. Adado passed away; and

WHEREAS, Lou served the Citizens of Lansing for 19 years as an elected member and leader of this Council, developing local laws and policies to ensure that residents enjoyed a full range of City services while looking to the future and planning a better community for coming generations; and

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WHEREAS, Lou saw many of his personal dreams for Lansing become reality, including a well-trained and well-equipped corps of police, fire, and emergency services personnel, new economic development to create jobs, and programs to provide basic services to our most needy; and

WHEREAS, Lou was admired for the personal research that he devoted to the work programs contained in the City budget, always asking hard questions about the goals and performance of City departments to deliver needed services at the lowest possible cost to our residents; and

WHEREAS, Lou's warm, personal touch and concern for this community gained him thousands of friends, who experienced his genuine love of people in every conversation; and

WHEREAS, Lou's devotion to all of us was an extension of his boundless love for his family and his deep commitment to his faith, expressed by the time and effort he gave so freely to St. Casimir Church;

NOW, THEREFORE, BE IT RESOLVED the members of the Lansing City Council, sitting in regular session this 3rd Day of December, 1990, hereby honor the life and accomplishments of our friend and colleague, Councilmember Lou Adado; and

BE IT FURTHER RESOLVED this Council encourages all who loved Lou to give of themselves for the benefit of this City and its people as a fitting and continuing tribute to his memory.

THANKS FOR EVERYTHING, LOU. WE'LL MISS YOU.....

By Councilmember Benavides:

Carried unanimously; Councilmember Lindemann absent

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction.

ORDINANCES FOR PASSAGE

There were no Ordinances for passage.

CONSIDERATION OF LATE ITEMS, IF ANY

1/ Letter and proposal from Jacqueline Warr regarding Purchase of Trash Bags for Low-Income Lansing Residents

(REFERRED TO THE COMMITTEE ON PUBLIC SERVICES; COPIES PROVIDED FOR ALL COUNCILMEMBERS)

2/ Request to move the passage of Resolution agenda #XII-C to Special Ceremonies so that the presentation can be made to Rev Hopkins

(Handled during Special Ceremonies as Resolution #668)

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides:

That Councilmember Lindemann be excused from tonight's meeting.

Carried unanimously.

PUBLIC COMMENTS

James Derocco of 3815 Donald commented upon a mailing he will be making concerning fundraising for the homeless.

Andrew Anthos spoke regarding his petition for lighting of the Capitol dome on holidays.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd mentioned that the Buick Reata Craft Center will have a shut down during the holidays with a partial reopening thereafter.

REMARKS BY COUNCILMEMBERS

Councilmember Benavides mentioned that there will be a public hearing on December 6, 1990, at 7:30 P.M. at the Black Child and Family Institute (corner of Butler & Genessee) to receive testimony on area human services needs.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 7:45 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

SPECIAL SESSION REVISED PROCEEDINGS, December 6, 1990

CITY COUNCIL COMMITTEE ROOM

Lansing, Michigan
December 6, 1990

The City Council of the City of Lansing met in special session at 3:45 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmembers Benavides and Lindemann

Resolution #671

RESOLUTION AUTHORIZING BOND ISSUANCE AND SALE
$6,300,000
CITY OF LANSING
COUNTIES OF INGHAM AND EATON, MICHIGAN

Unlimited Tax General Obligation Bonds, Series 1990 II

WHEREAS, the qualified electors of the City at an election duly called and held on August 2, 1988, did by more than the required majority of those voting approve the following proposition:

BOND PROPOSAL FOR THE PROTECTING AND RESTORING OF THE ENVIRONMENT

Shall the City of Lansing, Counties of Ingham and Eaton, borrow the principal amount of not to exceed Fifteen Million Dollars ($15,000,000), and issue its unlimited tax general obligation bonds therefor for the purpose of paying the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto

WHEREAS, the City Council has previously approved by a two-thirds vote a work program for the expenditures of the monies to be borrowed as provided by this Resolution; and

WHEREAS, on December 27, 1988, the City issued the first series of bonds authorized by the proposition recited above;

WHEREAS, on February 13, 1990, the City issued the second series of bonds authorized by the proposition recited above;

WHEREAS, it is the determination of the City Council that at this time a third and final series of bonds in the principal amount of Six Million Three Hundred Thousand Dollars ($6,300,000) should be issued; and

WHEREAS, the Director of Finance has set Thursday, December 6, 1990, at 2:00 o'clock p.m., Eastern Standard Time, as the date and time for opening bids for the purchase of $6,300,000 City of Lansing Unlimited Tax General Obligation Bonds, Series 1990-II; and

WHEREAS, the Notice of Sale for the Bonds has been published in The Bond Buyer; and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached on Exhibit A hereto have been received; and

WHEREAS, the bid designated on Exhibit A as the "Winning Bid" has been determined to produce the lowest interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The estimated period of usefulness of said improvements is not less than thirty (30) years.

2. General obligation bonds shall be issued in the amount of Six Million Three Hundred Thousand Dollars ($6,300,000) for the purpose of paying part of the costs described in the proposition (the "Project"). The full faith and credit unlimited taxing power of the City shall be pledged for the prompt payment of the principal of and interest on said bonds as the same become due. Said bonds shall consist of fully-registered bonds of the denomination of multiples of $5,000 up to the amount of a single maturity, numbered consecutively in order of registration from 1 upwards, dated as of December 1, 1990, and payable serially on January 1 of each year, as follows:

Year	Principal Amount	Year	Principal Amount
1992	$ 125,000	2001	$ 300,000
1993	150,000	2002	325,000
1994	150,000	2003	350,000
1995	175,000	2004	400,000
1996	200,000	2005	425,000
1997	200,000	2006	450,000
1998	225,000	2007	500,000
1999	250,000	2008	550,000
2000	275,000	2009	600,000
		2010	650,000

Said bonds shall be designated City of Lansing UNLIMITED TAX GENERAL OBLIGATION BONDS, SERIES 1990-II, and shall bear interest at a rate or rates not exceeding 10% per annum, payable on July 1, 1991, and semiannually thereafter on January 1 and July 1 of each year. The Bonds shall be subject to redemption prior to maturity as provided in the form of Bond.

3. The bonds shall be executed in the name of the City with the facsimile signatures of the Mayor and the City Clerk and shall have either the City's seal or a facsimile thereof affixed thereto or imprinted thereon. No bond of this series shall be valid until authenticated by an authorized officer of the transfer agent. The bonds shall be delivered to the transfer agent for authentication and be delivered by him to the purchaser in accordance with instructions from the Director of Finance of the City upon payment of the purchase price for the bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and

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issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

4. Any bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any bond or bonds shall be surrendered for transfer, the City shall execute and the transfer agent shall authenticate and deliver a new bond or bonds, for like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required to pay interest to any owner not of record as of the fifteenth (15th) day of the month next preceding any interest payment date.

5. Said bonds shall be in substantially the following form subject to any changes necessary or convenient to effect the transfer of the bonds:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING

UNLIMITED TAX GENERAL OBLIGATION BOND
SERIES 1990-II

Interest Rate

Date of Maturity

Date of Original Issue

CUSIP

Registered Owner: _____

Principal Amount: Dollars

The City of Lansing, Counties of Ingham and Eaton, State of Michigan (the "City"), for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on July 1, 1991 and semiannually thereafter. Principal of this bond is payable at the principal corporate trust office of Manufacturers National Bank of Detroit, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month next preceding the payment date as shown on the registration books of the City maintained by the Transfer Agent, by check or draft mailed to the registered owner at the registered address. For the prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are irrevocably pledged.

This bond is one of a series of bonds of even original issue date aggregating the principal sum of $6,300,000, issued as the third and final series of bonds authorized for the purpose of paying part of the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto, pursuant to a vote of the qualified electors voting thereon at an election duly called and held on August 2, 1988. This bond is payable out of the Debt Retirement Fund of the City for this issue.

Bonds of this issue maturing in the years 1992 to 2001, inclusive, are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing in the years 2002 through 2010, inclusive, shall be subject to redemption, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any interest payment date or any other date if permitted by law, on or after January I, 2001, at par and accrued interest to the date fixed for redemption, plus a premium, as follows:

2% of the par value of each bond or portion thereof called for redemption on or after January 1, 2001, but prior to January 1, 2003;

1% of the par value of each bond or portion thereof called for redemption on or after January 1, 2003, but prior to January 1, 2004.

No premium shall be paid on bonds called for redemption on or after January 1, 2004.

In case less than the full amount of an outstanding bond is called for redemption the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

This bond is transferable only upon the books of the City kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing the bonds of this series, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done, exist and

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have happened in regular and due time and form as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, charter or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by its City Council, has caused this bond to be executed with the facsimile signatures of its Mayor and its City Clerk and the City seal or a facsimile thereof to be affixed hereto or imprinted hereon, all as of the Date of Original Issue.

CITY OF LANSING

By (fascimile)
Mayor

(SEAL)

Countersigned:

(fascimile)
City Clerk

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

This bond is one of the bonds described herein.

MANUFACTURERS NATIONAL BANK OF DETROIT
Detroit, Michigan
Transfer Agent

By
Authorized Signature

6. The action of the Director of Finance in causing the notice of sale of the Bonds to be published in the The Bond Buyer, New York, New York, and setting forth the date of sale at least seven (7) days after such publication is hereby ratified and confirmed.

7. The following form of said notice of sale, as submitted to The Bond Buyer for publication, is hereby ratified and confirmed.

OFFICIAL NOTICE OF SALE

$6,300,000
CITY OF LANSING
COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN

UNLIMITED TAX GENERAL OBLIGATION BONDS
SERIES 1990-II

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the Mayor's office, 9th floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, 48933, on Thursday, the 6th day of December, 1990, at 2:00 o'clock p.m. Eastern Standard Time, at which time and place said bids will be publicly opened and read.

IN THE ALTERNATIVE: Sealed bids will also be received simultaneously and publicly opened and read at the office of the Municipal Advisory Council of Michigan, Suite 1445, First National Building, Detroit, Michigan 48226. Bidders may choose either location to present bids and good faith checks, but may not present bids at both locations. The bids for the bonds will be considered by the City Council at a meeting to be held on that date.

BOND DETAILS: Said bonds will be fully-registered bonds of the denomination of $5,000 each, or multiples thereof up to the amount of a single maturity, dated December 1, 1990, numbered consecutively in order of registration from 1 upwards and will bear interest from their date payable on July 1, 1991, and semiannually thereafter.

Said bonds will mature on the 1st day of January of each year, as follows:

Year	Principal Amount	Year	Principal Amount
1992	$ 125,000	2001	$ 300,000
1993	150,000	2002	325,000
1991	150,000	2003	350,000
1995	175,000	2004	400,000
1996	200,000	2005	425,000
1997	200,000	2006	450,000
1998	225,000	2007	500,000
1999	250,000	2008	550,000
2000	275,000	2009	600,000
		2010	650,000

INTEREST RATE AND BIDDING DETAILS: The bonds will bear interest at a rate or rates not exceeding ten percent (10%) per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only. All bonds maturing in any one year must carry the same interest rate. The difference between the highest and the lowest interest rate bid shall not exceed three percent (3%). The interest rate on bonds maturing in any year after the year 2001 shall not be greater than the interest rate on bonds maturing in any subsequent year. No proposal for the purchase of less than all of the bonds or at a price less than 98.5% of their par value will be considered.

PRIOR REDEMPTION: Bonds of this issue maturing in the years 1992 to 2001, inclusive, are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing in the years 2002 through 2010, inclusive, shall be subject to redemption, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any interest payment date or any other date if permitted by law, on or after January 1, 2001, at par and accrued interest to the date fixed for redemption, plus a premium, as follows:

2% of the par value of each Bond called for redemption on or after January 1, 2001, but prior to January 1, 2003;

1% of the par value of each Bond called for redemption on or after January 1, 2003, but prior to January 1, 2004.

No premium will be paid on bonds called for redemption on or after January 1, 2004.

In case less than the full amount of an outstanding bond is called for redemption the transfer agent upon presentation of the bond

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called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the holders of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at the principal corporate trust office of Manufacturers National Bank of Detroit, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any change in transfer agent. Interest shall be paid by check mailed to the owner as shown by the registration books of the City as of the fifteenth (15th) day of the month preceding the interest payment date. The bonds will be transferable only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are issued as the third and final series of bonds authorized at an election held August 2, 1988 and are issued for the purpose of paying the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto.

The bonds will pledge the full faith and credit of the City for payment of the principal and interest thereon and will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount. The rights and remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance, or other laws affecting creditors' rights generally and by the application of general principles of equity including those relating to equitable subordination, now existing or hereafter enacted.

GOOD FAITH: A certified or cashier's check in the amount of $126,000, drawn upon an incorporated bank or trust company and payable to the order of the Treasurer of the City, must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks, and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail. The good faith check of the successful bidder will be immediately cashed, and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining at the rate or rates specified in the bid the total dollar value of all interest on the bonds from December 1, 1990, to their maturity and deducting therefrom any premium or adding thereto any discount.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, attorneys of Lansing and Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue their unqualified approving opinion as to the validity of the above bonds, Miller, Canfield, Paddock and Stone has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of bond counsel, assuming compliance with certain covenants, interest on the bonds is excluded from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance taxes and taxes on gains realized from the sale, payment or other disposition thereof. The City has not designated the Bonds as qualified tax exempt obligations as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

CUSIP: CUSIP numbers will be imprinted on all Bonds of this issue at the City's expense. An improperly printed number will not constitute basis for the purchaser to refuse to accept delivery.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at New York, New York, Chicago, Illinois, or Detroit, Michigan or such other place as may be agreed upon with the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Standard Time, on the 45th day following the date of sale or the first business day thereafter if said 45th day is not a business day, the successful bidder may, on that day or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned, in which event the City shall promptly return the good faith deposit. Payment for the Bonds must be made in federal reserve funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to delivery of the bonds, the bonds will be delivered in the form of a single certificate for each maturity registered in the name of the purchaser.

OFFICIAL STATEMENT: A preliminary official statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission has been prepared and may be obtained from Mr. Stephen W. Duarte, at the address given below. The City will provide the successful bidder with 600 copies of the final Official Statement within seven business days from the date of sale to permit compliance with Rule 15c2-12 of the Securities and Exchange Commission. Additional copies will be

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supplied upon agreement to pay the reasonable costs of the City for those copies. Requests for additional copies should be made to Julia Baker, Miller, Canfield, Paddock and Stone, Lansing, Michigan, telephone number (517) 487-2070 within 24 hours of the time of sale.

PURCHASER CERTIFICATION: The successful bidder will be required to furnish, by December 10, 1990, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended.

FURTHER INFORMATION: Further information with respect to said Bonds may be obtained from Mr. Stephen W. Duarte, Director of Finance, City of Lansing, City Hall, Eighth Floor, 124 West Michigan Avenue, Lansing, Michigan 48933. Telephone (517) 483-4500. For copies of the preliminary official statement, call Julia Baker, Miller, Canfield, Paddock and Stone, Lansing, Michigan (517) 487-2070.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for General Obligation Bonds".

James D. Blair, City Clerk
City of Lansing, Michigan

8. There shall be established and maintained a fund to be designated 1990-II GENERAL OBLIGATION BONDS DEBT RETIREMENT FUND. Into said fund there shall be placed the accrued interest and premium, if any, received at the time of delivery of said bonds. The moneys deposited into said fund shall be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited as collected into the Debt Retirement Fund. Commencing with the fiscal year starting July 1, 1991, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due next following the levy and before the time of collection of the next following tax levy. If at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for said fund.

9. There shall be established and maintained a separate fund, to be designated 1990-II GENERAL OBLIGATION BONDS ENVIRONMENTAL PROGRAM FUND, into which shall be placed the proceeds of sale of the bonds (except accrued interest, and premium, if any) and from which fund there shall be paid the cost of the Project in accordance with the work program for expenditures of the monies which was approved by the City Council.

10. The City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to the Internal Revenue Code of 1986, as amended, (the "Code") and the applicable regulations thereunder, or under the predecessor code thereof, in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of the Code and such applicable regulations. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control necessary to maintain the exemption of the interest on the Bonds from the general federal income taxation (as opposed to alternative minimum income or other indirect taxation) under federal tax law existing as of the date of delivery of the Bonds.

11. Manufacturers National Bank of Detroit, Detroit, Michigan is hereby approved as transfer agent for the Bonds.

12. The Winning Bid designated on Exhibit A is hereby accepted. Checks of unsuccessful bidders shall be returned to each bidder's representative or by registered mail.

13. Preparation and distribution by the Director of Finance of the City of the Preliminary Official Statement for the Bonds dated November 28, 1990 is hereby ratified and approved. The City deems said Preliminary Official Statement for the Bonds to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission. The City Director of Finance is hereby directed to prepare and distribute a Final Official Statement in substantially the form of said Preliminary Official Statement.

14. All resolutions and parts of resolutions, ordinances and orders insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. This Resolution shall become effective immediately upon its adoption.

By Councilmember Ford:

YEAS: Belen, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Benavides, Lindemann

EXHIBIT A

Bidder: Hutchinson, Shockey, Erley & Co.
Average Interest Rate: 6.662%
Net Interest Cost: $5,298,041.67

Maturity	Interest Rate
1992	9.00%
1993	9.00%
1994	9.00%
1995	9.00%
1996	8.50%
1997	6.00%
1998	6.10%
1999	6.20%
2000	6.30%
2001	6.40%
2002	6.50%
2003	6.50%
2004	6.50%
2005	6.50%
2006	6.50%
2007	6.50%
2008	6.50%
2009	6.50%
2010	6.50%

The bid shown on this page is hereby designated as the "WINNING BID."

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EXHIBIT A

Bidder: Lehman Brothers
Discount: $94,500
Average Interest Rate: 6.76789%
Net Interest Cost: $5,382,169.79

Maturity	Interest Rate
1992	9.00%
1993	8.50%
1994	6.00%
1995	6.00%
1996	6.00%
1997	6.10%
1998	6.20%
1999	6.20%
2000	6.30%
2001	6.35%
2002	6.50%
2003	6.45%
2004	6.50%
2005	6.50%
2006	6.70%
2007	6.70%
2008	6.80%
2009	6.80%
2010	6.80%

Bidder: John Nuveen & Co., Inc.
Discount: $94,500
Average Interest Rate: 6.763%
Net Interest Cost: $5,378,489.06

Maturity	Interest Rate
1992	7⅞%
1993	7⅞%
1994	7⅞%
1995	7⅞%
1996	6.80%
1997	6.80%
1998	6.80%
1999	7⅞%
2000	7⅞%
2001	7⅛%
2002	6.50%
2003	6.50%
2004	6.50%
2005	6.50%
2006	6.50%
2007	6.50%
2008	6.50%
2009	6.50%
2010	6.50%

Bidder: Kemper Capital Markets and First of America Bank-Central
Discount: $94,500
Average Interest Rate: 6.781141%
Net Interest Cost: $5,392,702.60

Maturity	Interest Rate
1992	9.25%
1993	9.25%
1994	9.25%
1995	8.25%
1996	6.25%
1997	6.25%
1998	6.25%
1999	6.30%
2000	6.40%
2001	6.50%
2002	6.50%
2003	6.50%
2004	6.50%
2005	6.625%
2006	6.625%
2007	6.625%
2008	6.75%
2009	6.75%
2010	6.75%

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 3:55 P.M.

James D. Blair, City Clerk

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

THE CITY COUNCIL
OF THE CITY OF LANSING

Special Session Proceedings, December 6, 1990

CITY COUNCIL COMMITTEE ROOM

Lansing, Michigan
December 6, 1990

The City Council of the City of Lansing met in special session at 3:45 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmembers Benavides and Lindemann

Resolution #671

RESOLUTION AUTHORIZING BOND ISSUANCE AND SALE
$6,300,000
CITY OF LANSING
COUNTIES OF INGHAM AND EATON, MICHIGAN

Unlimited Tax General Obligation Bonds, Series 1990 II

WHEREAS, the qualified electors of the City at an election duly called and held on August 2, 1988, did by more than the required majority of those voting approve the following proposition:

BOND PROPOSAL FOR THE PROTECTING AND RESTORING OF THE ENVIRONMENT

Shall the City of Lansing, Counties of Ingham and Eaton, borrow the principal amount of not to exceed Fifteen Million Dollars ($15,000,000), and issue its unlimited tax general obligation bonds therefor for the purpose of paying the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto

WHEREAS, the City Council has previously approved by a two-thirds vote a work program for the expenditures of the monies to be borrowed as provided by this Resolution; and

WHEREAS, on December 27, 1988, the City issued the first series of bonds authorized by the proposition recited above;

WHEREAS, on February 13, 1990, the City issued the second series of bonds authorized by the proposition recited above;

WHEREAS, it is the determination of the City Council that at this time a third and final series of bonds in the principal amount of Six Million Three Hundred Thousand Dollars ($6,300,000) should be issued; and

WHEREAS, the Director of Finance has set Thursday, December 6, 1990, at 2:00 o'clock p.m., Eastern Standard Time, as the date and time for opening bids for the purchase of $6,300,000 City of Lansing Unlimited Tax General Obligation Bonds, Series 1990-II; and

WHEREAS, the Notice of Sale for the Bonds has been published in The Bond Buyer; and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached on Exhibit A hereto have been received; and

WHEREAS, the bid designated on Exhibit A as the "Winning Bid" has been determined to produce the lowest interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The estimated period of usefulness of said improvements is not less than thirty (30) years.

2. General obligation bonds shall be issued in the amount of Six Million Three Hundred Thousand Dollars ($6,300,000) for the purpose of paying part of the costs described in the proposition (the "Project"). The full faith and credit unlimited taxing power of the City shall be pledged for the prompt payment of the principal of and interest on said bonds as the same become due. Said bonds shall consist of fully-registered bonds of the denomination of multiples of $5,000 up to the amount of a single maturity, numbered consecutively in order of registration from 1 upwards, dated as of December 1, 1990, and payable serially on January 1 of each year, as follows:

Year	Principal Amount	Year	Principal Amount
1992	$ 125,000	2001	$ 300,000
1993	150,000	2002	325,000
1994	150,000	2003	350,000
1995	175,000	2004	400,000
1996	200,000	2005	425,000
1997	200,000	2006	450,000
1998	225,000	2007	500,000
1999	250,000	2008	550,000

Said bonds shall be designated City of Lansing UNLIMITED TAX GENERAL OBLIGATION BONDS, SERIES 1990-II, and shall bear interest at a rate or rates not exceeding 10% per annum, payable on July 1, 1991, and semiannually thereafter on January 1 and July 1 of each year. The Bonds shall be subject to redemption prior to maturity as provided in the form of Bond.

3. The bonds shall be executed in the name of the City with the facsimile signatures of the Mayor and the City Clerk and shall have either the City's seal or a facsimile thereof affixed thereto or imprinted thereon. No bond of this series shall be valid until authenticated by an authorized officer of the transfer agent. The bonds shall be delivered to the transfer agent for authentication and be delivered by him to the purchaser in accordance with instructions from the Director of Finance of the City upon payment of the purchase price for the bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and

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issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

4. Any bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any bond or bonds shall be surrendered for transfer, the City shall execute and the transfer agent shall authenticate and deliver a new bond or bonds, for like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required to pay interest to any owner not of record as of the fifteenth (15th) day of the month next preceding any interest payment date.

5. Said bonds shall be in substantially the following form subject to any changes necessary or convenient to effect the transfer of the bonds:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING

UNLIMITED TAX GENERAL OBLIGATION BOND
SERIES 1990-II

Interest Rate

Date of Maturity

Date of Original Issue

CUSIP

Registered Owner: _____

Principal Amount: Dollars

The City of Lansing, Counties of Ingham and Eaton, State of Michigan (the "City"), for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on July 1, 1991 and semiannually thereafter. Principal of this bond is payable at the principal corporate trust office of Manufacturers National Bank of Detroit, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month next preceding the payment date as shown on the registration books of the City maintained by the Transfer Agent, by check or draft mailed to the registered owner at the registered address. For the prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are irrevocably pledged.

This bond is one of a series of bonds of even original issue date aggregating the principal sum of $6,300,000, issued as the third and final series of bonds authorized for the purpose of paying part of the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto, pursuant to a vote of the qualified electors voting thereon at an election duly called and held on August 2, 1988. This bond is payable out of the Debt Retirement Fund of the City for this issue.

Bonds of this issue maturing in the years 1992 to 2001, inclusive, are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing in the years 2002 through 2010, inclusive, shall be subject to redemption, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any interest payment date or any other date if permitted by law, on or after January I, 2001, at par and accrued interest to the date fixed for redemption, plus a premium, as follows:

2% of the par value of each bond or portion thereof called for redemption on or after January 1, 2001, but prior to January 1, 2003;

1% of the par value of each bond or portion thereof called for redemption on or after January 1, 2003, but prior to January 1, 2004.

No premium shall be paid on bonds called for redemption on or after January 1, 2004.

In case less than the full amount of an outstanding bond is called for redemption the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

This bond is transferable only upon the books of the City kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing the bonds of this series, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done, exist and

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have happened in regular and due time and form as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, charter or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by its City Council, has caused this bond to be executed with the facsimile signatures of its Mayor and its City Clerk and the City seal or a facsimile thereof to be affixed hereto or imprinted hereon, all as of the Date of Original Issue.

CITY OF LANSING

By (fascimile)
Mayor

(SEAL)

Countersigned:

(fascimile)
City Clerk

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

This bond is one of the bonds described herein.

MANUFACTURERS NATIONAL BANK OF DETROIT
Detroit, Michigan
Transfer Agent

By
Authorized Signature

6. The action of the Director of Finance in causing the notice of sale of the Bonds to be published in the The Bond Buyer, New York, New York, and setting forth the date of sale at least seven (7) days after such publication is hereby ratified and confirmed.

7. The following form of said notice of sale, as submitted to The Bond Buyer for publication, is hereby ratified and confirmed.

OFFICIAL NOTICE OF SALE

$6,300,000
CITY OF LANSING
COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN

UNLIMITED TAX GENERAL OBLIGATION BONDS
SERIES 1990-II

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the Mayor's office, 9th floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, 48933, on Thursday, the 6th day of December, 1990, at 2:00 o'clock p.m. Eastern Standard Time, at which time and place said bids will be publicly opened and read.

IN THE ALTERNATIVE: Sealed bids will also be received simultaneously and publicly opened and read at the office of the Municipal Advisory Council of Michigan, Suite 1445, First National Building, Detroit, Michigan 48226. Bidders may choose either location to present bids and good faith checks, but may not present bids at both locations. The bids for the bonds will be considered by the City Council at a meeting to be held on that date.

BOND DETAILS: Said bonds will be fully-registered bonds of the denomination of $5,000 each, or multiples thereof up to the amount of a single maturity, dated December 1, 1990, numbered consecutively in order of registration from 1 upwards and will bear interest from their date payable on July 1, 1991, and semiannually thereafter.

Said bonds will mature on the 1st day of January of each year, as follows:

Year	Principal Amount	Year	Principal Amount
1992	$ 125,000	2001	$ 300,000
1993	150,000	2002	325,000
1991	150,000	2003	350,000
1995	175,000	2004	100,000
1996	200,000	2005	425,000
1997	200,000	2006	450,000
1998	225,000	2007	500,000
1999	250,000	2008	550,000
2000	275,000	2009	600,000
		2010	650,000

INTEREST RATE AND BIDDING DETAILS: The bonds will bear interest at a rate or rates not exceeding ten percent (10%) per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only. All bonds maturing in any one year must carry the same interest rate. The difference between the highest and the lowest interest rate bid shall not exceed three percent (3%). The interest rate on bonds maturing in any year after the year 2001 shall not be greater than the interest rate on bonds maturing in any subsequent year. No proposal for the purchase of less than all of the bonds or at a price less than 98.5% of their par value will be considered.

PRIOR REDEMPTION: Bonds of this issue maturing in the years 1992 to 2001, inclusive, are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing in the years 2002 through 2010, inclusive, shall be subject to redemption, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any interest payment date or any other date if permitted by law, on or after January 1, 2001, at par and accrued interest to the date fixed for redemption, plus a premium, as follows:

2% of the par value of each Bond called for redemption on or after January 1, 2001, but prior to January 1, 2003;

1% of the par value of each Bond called for redemption on or after January 1, 2003, but prior to January 1, 2004.

No premium will be paid on bonds called for redemption on or after January 1, 2004.

In case less than the full amount of an outstanding bond is called for redemption the transfer agent upon presentation of the bond

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called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the holders of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at the principal corporate trust office of Manufacturers National Bank of Detroit, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any change in transfer agent. Interest shall be paid by check mailed to the owner as shown by the registration books of the City as of the fifteenth (15th) day of the month preceding the interest payment date. The bonds will be transferable only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are issued as the third and final series of bonds authorized at an election held August 2, 1988 and are issued for the purpose of paying the cost of protecting and restoring the environment by cleaning up contaminated or toxic waste sites in the City, removing asbestos from City buildings, and acquiring solid waste separation, recycling, and composting facilities and paying for facilities and services incidental thereto.

The bonds will pledge the full faith and credit of the City for payment of the principal and interest thereon and will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount. The rights and remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance, or other laws affecting creditors' rights generally and by the application of general principles of equity including those relating to equitable subordination, now existing or hereafter enacted.

GOOD FAITH: A certified or cashier's check in the amount of $123,000, drawn upon an incorporated bank or trust company and payable to the order of the Treasurer of the City, must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks, and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail. The good faith check of the successful bidder will be immediately cashed, and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining at the rate or rates specified in the bid the total dollar value of all interest on the bonds from December 1, 1990, to their maturity and deducting therefrom any premium or adding thereto any discount.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, attorneys of Lansing and Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue their unqualified approving opinion as to the validity of the above bonds, Miller, Canfield, Paddock and Stone has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of bond counsel, assuming compliance with certain covenants, interest on the bonds is excluded from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance taxes and taxes on gains realized from the sale, payment or other disposition thereof. The City has not designated the Bonds as qualified tax exempt obligations as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

CUSIP: CUSIP numbers will be imprinted on all Bonds of this issue at the City's expense. An improperly printed number will not constitute basis for the purchaser to refuse to accept delivery.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at New York, New York, Chicago, Illinois, or Detroit, Michigan or such other place as may be agreed upon with the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Standard Time, on the 45th day following the date of sale or the first business day thereafter if said 45th day is not a business day, the successful bidder may, on that day or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned, in which event the City shall promptly return the good faith deposit. Payment for the Bonds must be made in federal reserve funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to delivery of the bonds, the bonds will be delivered in the form of a single certificate for each maturity registered in the name of the purchaser.

OFFICIAL STATEMENT: A preliminary official statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission has been prepared and may be obtained from Mr. Stephen W. Duarte, at the address given below. The City will provide the successful bidder with 600 copies of the final Official Statement within seven business days from the date of sale to permit compliance with Rule 15c2-12 of the Securities and Exchange Commission. Additional copies will be

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supplied upon agreement to pay the reasonable costs of the City for those copies. Requests for additional copies should be made to Julia Baker, Miller, Canfield, Paddock and Stone, Lansing, Michigan, telephone number (517) 487-2070 within 24 hours of the time of sale.

PURCHASER CERTIFICATION: The successful bidder will be required to furnish, by December 10, 1990, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended.

FURTHER INFORMATION: Further information with respect to said Bonds may be obtained from Mr. Stephen W. Duarte, Director of Finance, City of Lansing, City Hall, Eighth Floor, 124 West Michigan Avenue, Lansing, Michigan 48933. Telephone (517) 483-4500. For copies of the preliminary official statement, call Julia Baker, Miller, Canfield, Paddock and Stone, Lansing, Michigan (517) 487-2070.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for General Obligation Bonds".

James D. Blair, City Clerk
City of Lansing, Michigan

8. There shall be established and maintained a fund to be designated 1990-II GENERAL OBLIGATION BONDS DEBT RETIREMENT FUND. Into said fund there shall be placed the accrued interest and premium, if any, received at the time of delivery of said bonds. The moneys deposited into said fund shall be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited as collected into the Debt Retirement Fund. Commencing with the fiscal year starting July 1, 1991, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due next following the levy and before the time of collection of the next following tax levy. If at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for said fund.

9. There shall be established and maintained a separate fund, to be designated 1990-II GENERAL OBLIGATION BONDS ENVIRONMENTAL PROGRAM FUND, into which shall be placed the proceeds of sale of the bonds (except accrued interest, and premium, if any) and from which fund there shall be paid the cost of the Project in accordance with the work program for expenditures of the monies which was approved by the City Council.

10. The City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to the Internal Revenue Code of 1986, as amended, (the "Code") and the applicable regulations thereunder, or under the predecessor code thereof, in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of the Code and such applicable regulations. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control necessary to maintain the exemption of the interest on the Bonds from the general federal income taxation (as opposed to alternative minimum income or other indirect taxation) under federal tax law existing as of the date of delivery of the Bonds.

11. Manufacturers National Bank of Detroit, Detroit, Michigan is hereby approved as transfer agent for the Bonds.

12. The Winning Bid designated on Exhibit A is hereby accepted. Checks of unsuccessful bidders shall be returned to each bidder's representative or by registered mail.

13. Preparation and distribution by the Director of Finance of the City of the Preliminary Official Statement for the Bonds dated November 28, 1990 is hereby ratified and approved. The City deems said Preliminary Official Statement for the Bonds to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission. The City Director of Finance is hereby directed to prepare and distribute a Final Official Statement in substantially the form of said Preliminary Official Statement.

14. All resolutions and parts of resolutions, ordinances and orders insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. This Resolution shall become effective immediately upon its adoption.

By Councilmember Ford:

YEAS: Belen, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Benavides, Lindemann

EXHIBIT A

Bidder: Hutchinson, Shockey, Erley & Co.
Average Interest Rate: 6.662%
Net Interest Cost: $5,298,041.67

Maturity	Interest Rate
1992	9.00%
1993	9.00%
1994	9.00%
1995	9.00%
1996	8.50%
1997	6.00%
1998	6.10%
1999	6.20%
2000	6.30%
2001	6.40%
2002	6.50%
2003	6.50%
2004	6.50%
2005	6.50%
2006	6.50%
2007	6.50%
2008	6.50%
2009	6.50%
2010	6.50%

The bid shown on this page is hereby designated as the "WINNING BID."

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EXHIBIT A

Bidder: Lehman Brothers
Discount: $94,500
Average Interest Rate: 6.76789%
Net Interest Cost: $5,382,169.79

Maturity	Interest Rate
1992	9.00%
1993	8.50%
1994	6.00%
1995	6.00%
1996	6.00%
1997	6.10%
1998	6.20%
1999	6.20%
2000	6.30%
2001	6.35%
2002	6.50%
2003	6.45%
2004	6.50%
2005	6.50%
2006	6.70%
2007	6.70%
2008	6.80%
2009	6.80%
2010	6.80%

Bidder: John Nuveen & Co., Inc.
Discount: $94,500
Average Interest Rate: 6.763%
Net Interest Cost: $5,378,489.06

Maturity	Interest Rate
1992	7⅞%
1993	7⅞%
1994	7⅞%
1995	7⅞%
1996	6.80%
1997	6.80%
1998	6.80%
1999	7⅞%
2000	7⅞%
2001	7⅛%
2002	6.50%
2003	6.50%
2004	6.50%
2005	6.50%
2006	6.50%
2007	6.50%
2008	6.50%
2009	6.50%
2010	6.50%

Bidder: Kemper Capital Markets and First of America Bank-Central
Discount: $94,500
Average Interest Rate: 6.781141%
Net Interest Cost: $5,392,702.60

Maturity	Interest Rate
1992	9.25%
1993	9.25%
1994	9.25%
1995	8.25%
1996	6.25%
1997	6.25%
1998	6.25%
1999	6.30%
2000	6.40%
2001	6.50%
2002	6.50%
2003	6.50%
2004	6.50%
2005	6.625%
2006	6.625%
2007	6.625%
2008	6.75%
2009	6.75%
2010	6.75%

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 3:55 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, December 10, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
December 10, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Lindemann and Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

By Councilmember Benavides:

That the printed Council proceedings for November 19 and November 26, 1990 be approved.

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Crawford:

To accept the following under suspension of the rules:

1/ Committee report and passage of ordinance regarding requirement for Chief of Police

2/ Resolution granting an Industrial Facilities Exemption Certificate to Ameritainer, Inc.

3/ Three transfers of funds

4/ Resolution setting a public hearing for January 7, 1991, regarding proposed amendments to the Employees Retirement System

5/ Resolution accepting a grant from the Michigan Department of Commerce

6/ Resolution appointing Mary Margaret Woll to the Parks Board

Carried unanimously

PUBLIC HEARINGS

A. Industrial Facilities Exemption Certificate requested by Ameritainer, Inc.

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

B. Amending Code of Ordinance to exempt from the requirement that shows be licensed, any shows held in the Lansing Center and/or the Lansing Civic Arena

There were no public speakers for this hearing.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENTS

The following speakers felt that the process of selecting a new Councilmember should be open and were in opposition to tonight's resolution appointing Robert Brockwell without such a process:

Gary Andrews of 560 Brookland Blvd.
Russell Greear of 1517-1/2 Bailey
Larry Ford of 6735 Millett
Michael Cole of 3424 Brae Burn

Phil Alber of 732 W. Genesee stated that he felt Robert Brockwell would make a good Councilmember and he congratulated Council on their selection of Mr. Brockwell.

Michael Williams of 505 Lenawee stated that he felt Councilmember Canady should abstain from the vote since he could not have been adequately involved in the first selection process since he himself was a candidate of this first process.

SPECIAL CEREMONIES

Councilmember Crawford moved that the resolution naming Fire Station # in honor of Lou Adado be moved to the Special Ceremonies portion of the agenda.

Carried unanimously

Councilmember Schmidt moved for the adoption of the resolution which was carried unanimously. Council President Lucile Belen then read and presented the resolution to Mrs. Adado and two of Councilmember Adado's daughters.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously

A. Notice received from the Department of Natural Resources that Hobbs & Black, 215 S. Washington, have applied for a permit to adjust grades and place fill above and below the floodplain of the Grand River to install a walkway/plaza area

REFERRED TO THE MAYOR

B. Claim received from Bonnie Weiss (Bonnie's Place), regarding business interruption

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

C. Copy of the Ingham County/City of Lansing Community Corrections Board Technical Assistance Grant Application

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received from Ingham County Controller's Office

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

D. Notice of Hearing set for December 17, 1990 received from the Public Service Commission, regarding Consumer Power's request for revision of the 1989-90 public utility assessment

RECEIVED AND PLACED ON FILE

E. Two letters from Paul Flink of 2311 Rossiter Place regarding the proposed ordinance regulating walkers, runners and joggers

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. Letter from Gary C. Rogers regarding the South Grand Parking Structure

REFERRED TO THE MAYOR

G. Letter from Richard L. Kroeg of 146 Linden Blvd., Mason, regarding sale of land adjacent to Fenner Arboretum

REFERRED TO THE MAYOR

H. Letter from the Capitol Feathered Wings Bird Club regarding the proposed ordinance for wild/exotic animals

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed letters numbered C1, C2, C3, C5 and C8 on tonight's agenda. He also commended Councilmembers for their selection of Robert Brockwell and said that he supports his appointment to the Council.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:
Resolution #672
December 6, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

SECOND HAND DEALER: Thomas Walter Burke
PUBLIC DRIVER: Eric Elliston

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of December 3 and December 6, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

Amendments to Defined Contribution Retirement Plan Adoption Agreement

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. Response to letter from Emma R. Berry regarding Secretary of State's Office in North Capitol Parking Ramp

RECEIVED AND PLACED ON FILE

3. Financial Statements of the City Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Tax Abatement Review: Ameritainer, Inc., 5511 Enterprise Drive

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

5. Planning Board 1991 Meetings

RECEIVED AND PLACED ON FILE

6. SLU-2-90, 330/322/328 West Lapeer Street and 608/612/616/620 North Walnut Street

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7. Z-7-90, 329 West Saginaw Street

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8. Cancellation of December Planning Board Meeting

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

Z-17-90
3030 South Cedar Street

The Committee on Physical Development

To whom was referred the rezoning petition Z 17-90, 3030 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District

Reports as follows: That said rezoning be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

Carried unanimously

Z-20-90
4722 North Grand River Avenue

The Committee on Physical Development

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

To whom was referred the rezoning petition Z-20-90, 4722 North Grand River Avenue to be rezoned from "A" Residential District and "J" Parking District to "J" Parking District.

Reports as follows: That said rezoning be approved.

SIGNED: Mark Canady
Lucile Belen
Tony Benavides
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady:

Carried unanimously

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the claim of Beverly Jean Morse for reimbursement of property damages related to several sewer backups at her residence,

REPORTS AS FOLLOWS: After a detailed investigation, the Public Service Department discovered that the claimant's household sewer line was never connected to the new sanitary sewer constructed under Waverly Road in 1985. Instead, the residential lead was connected to the abandoned pipe in Waverly Road. Resultant backups caused more than $3,000 in property damage from August 1985 through April 1990. From this information, the City Attorney's Office, has recommended that this claim be forwarded to the City s consulting engineer on the sewer project, McNamee, Porter and Seeley. The Committee concurs with the Attorney's recommendation.

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be adopted.

Carried unanimously

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the ordinance to amend Section 288.06, Qualifications for the Position of Chief of Police,

REPORTS AS FOLLOWS: The amendments were recommended by the Mayor and are designed to expand the field of qualified candidates for the Chief's position, as requested by the Supervisory Unit of the Capital City Lodge, FOP. The Committee made one change, regarding population size of cities from which candidates may be considered qualified, and the Mayor has endorsed the Committee's language. Based on a motion approved October 9, 1990, the Committee recommends that the ordinance be adopted.

By Councilmember Schmidt:

That the report of the Committee be received.

Carried unanimously

RESOLUTIONS

Resolution #673
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this Council desires to honor the memory of our friend and colleague, Councilmember Louis F. Adado, who passed away on November 27, 1990; and

WHEREAS, as a member of Council, Lou Adado devoted much of his boundless energy to support of the Lansing Fire Department, insuring that our firefighters, emergency medical technicians and paramedics had the best training, equipment and facilities available to protect the lives and property of City residents; and

WHEREAS, this Council finds that it is most appropriate to associate Lou's name with the facility most symbolic of our Fire Department;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 10th Day of December, 1990, hereby dedicates Fire Station #1, located at the southwest corner of Shiawassee Street and Grand Avenue, to the memory of Councilmember Louis F. Adado; and

BE IT FURTHER RESOLVED the Mayor is requested to develop, in consultation with Lou's family, recommendations for the Council's consideration on placement at the fire station of a permanent memorial that fully describes this dedication to future generations of Lansing residents.

By Councilmember Schmidt:

Carried unanimously

Resolution #674
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Monday, December 31, 1990, is a City holiday;

NOW, THEREFORE, BE IT RESOLVED the regular City Council meeting scheduled for December 31, 1990, is hereby cancelled.

By Councilmember Ford:

Carried unanimously

Councilmember Ford offered the following substitute resolution:

BY COUNCILMEMBER CHARLES FORD

WHEREAS, an open and accessible process to fill the currently vacant council seat is in the best interest of all city residents.

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby agrees to accept applications on the 10th floor of the Lansing City Hall from any certified resident who did not apply for the previously vacant council seat thru noon on Wednesday, December 12, 1990,

AND BE IT THEREFORE RESOLVED, that the Lansing City Council hereby agrees to the following process for filling the vacant council seat;

A. A selection committee of three council members will be appointed by the City Council President.

B. The selection committee will interview all new applicants between 3:00 p.m. and 4:00 p.m. on Wednesday, December 12, 1990.

C. If more than 12 new applications are received, preference will be given to a maximum of 12 who meet the following conditions:

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1) Those who have served on city related Boards, Commissions or Organizations.

2) Those who have continuously resided within Lansing City limits for 10 years or more.

D. The selection committee will select four finalists from any and all new applications received by the deadline.

E. The entire council will conduct 10-15 minute interviews of the four new finalists and the top four finalists from the previously approved process who are, by name, Robert Brockwell, Nancy Carlson, Michael Walsh and Bruce Stark, between the hours of 3:00 p.m. and 5:00 p.m. on Thursday, December 13, 1990.

F. From the total pool of eight finalists one will be chosen to fill the duration of the council at large vacant seat. And,

BE IT FINALLY RESOLVED, the city council hereby agrees to suspend the rules at the Monday, December 17, 1990 meeting for the purpose of appointing a new council member.

By Councilmember Ford:

To accept the substitute resolution:

YEAS: Ford, Lindemann

NAYS: Belen, Benavides, Canady, Crawford, Schmidt

Substitute resolution fails

Resolution #675
BY COUNCILMEMBERS BELEN, CANADY, CRAWFORD AND SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a vacancy exists in an At-Large seat on this Council due to the death of Louis F. Adado; and

WHEREAS, the Charter authorizes the Council, by a majority vote of members serving, "to appoint a qualified person to fill the office until January first following the earliest November general election at which a successor can be elected;" and

WHEREAS, Councilmember Adado's term of office would expire January 1, 1992; and

WHEREAS, several highly-qualified applicants for appointment to the Council were interviewed in September 1990 following the resignation of At-Large Councilmember Sidney P. Worthington, after which Mark H. Canady was appointed to fill Councilmember Worthington's vacancy; and

WHEREAS, during interviews and deliberations to fill the Worthington vacancy, this Council demonstrated strong support for the appointment of Robert Brockwell, who placed second in balloting after Mark Canady;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 10th Day of December, 1990, hereby appoints Robert Brockwell to serve as an At-Large Councilmember and complete the term that ends on January 1, 1992.

By Councilmember Crawford:

YEAS: Belen, Benavides, Canady, Crawford, Lindemann, Schmidt

NAYS: Ford

ABSENT: None

Resolution #676
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William Schoenbachler filed a claim against the City of Lansing in the amount of $247.00 for reimbursement of a special assessment charge; and

WHEREAS, the Claims Review Committee reviewed the claim, reports from the Administration and recommendations from the City Attorney's office regarding the claim; and

WHEREAS, the Claims Review Committee approved that the claim be granted in the amount of $36.00 representing one half the contractor's fee for the mowing and deny the remaining $211.00 of Mr. Schoenbachler's claim; and

WHEREAS, Mr. Schoenbachler appealed the decision of the Claims Review Committee and was notified of an opportunity to appear before the Committee on General Services, and appeared and gave testimony; and

WHEREAS, the Committee on General Services reviewed the claim, the report of the Claims Review Committee and the appeal, and concurred with the Claims Review Committee's disposition;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to uphold the decision of the Claims Review Committee on the claim of William Schoenbachler; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward a copy of this resolution to the claimant.

By Councilmember Schmidt:

Carried unanimously

Resolution #677
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Gary D. Caltrider filed a claim against the City for $16,883.00 as a cash settlement for alleged lost rents of his commercial properties near the intersection of Main and Holmes Streets, which was affected by the City's reconstruction of Main Street in this area; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, Mr. Caltrider appeared before the General Services Committee, furnishing testimony and evidence to support his contention that he relied on a construction schedule given by the City's representative at a neighborhood meeting in making business decisions about his properties, that the schedule was later shown to be inaccurate, and that he sustained losses of rent revenue as a result; and

WHEREAS, after discussion with the City Attorney's staff, the Committee recommends making a settlement offer to the claimant in the amount of $4,000.00 which is considered arguably justifiable by the Attorney's Office;

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NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the City Attorney to make an offer to Gary D. Caltrider in the amount of $4,000.00 to settle the claim, such offer to be valid until close of business on December 28, 1990; and

BE IT FURTHER RESOLVED the City Attorney is further authorized to make payment of this amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED if the specified time period elapses without response from the claimant, or if the claimant rejects the settlement offer, the claim of Gary D. Caltrider in the amount of $16,883.00 shall be considered denied.

By Councilmember Schmidt:

Carried unanimously

Resolution #678
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 414 N. Logan / Dr. Martin Luther King, Jr. Blvd., legally described as:

3301 17 231 051
N 2 ½ R of W 6 R Lot c, Block 10, Claypool Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on October 25, 1990, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on December 3, 1990 to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution December 10, 1990; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall he notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Lindemann:

Carried unanimously

Resolution #682
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Industrial Development District #3 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 5511 Enterprise Drive, more fully described on Appendix A; and

WHEREAS, Ameritainer, Inc. has submitted an application for an Industrial Facilities Exemption Certificate (7-90) for the purchase of new equipment within said Industrial Development District; and

WHEREAS, a hearing was held on Ameritainer, Inc.'s application for an Exemption Certificate on December 10, 1990 at which time all interested persons had an opportunity to be heard; and

WHEREAS, Ameritainer, Inc. has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Lansing approves the application from Ameritainer, Inc. for an Industrial Facilities Exemption Certificate (7-90) in Lansing Industrial Development District #3, to remain in effect for a period of twelve (12) years.

By Councilmember Crawford:

Carried unanimously

Resolution #683
BY COMMITTEE ON WAYS AND MEANS 12/10/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$22,000.00 from Est. Rev. A/C 101-000000-170001-00000
22,000.00 to Garbage & Rubbish Coll.
Fund Subsidy A/C 101-453603-992200-00000
(Transfer will eliminate deficit retained earnings balance.)

$22,000.00 from Garbage & Rubbish Coll.
Est. Rev. A/C 596-000000-170001-00000
22,000.00 to Garbage & Rubbish Coll.
Bgt. Ctrl. Acct. A/C 596-453622-992200-00000

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(Transfer will eliminate deficit retained earnings balance.)

$6,000.00 from Reserve for Contingency
Ctrl. Acct. A/C 101-173901-992200-13055
6,000.00 to Planning & Mun. Devel.
Bgt. Ctrl. A/C 101-172601-992200-00000
(Match for MDOC Planning Grant for Boys Training School Property.)

$4,477.00 from Forf.-Est. Rev. A/C 265-000000-170001-00000
4,477.00 to Forf.-Bgt. Ctrl. Acct.
A/C 265 343253 992200-00000
(Per Tri-County Metro Governmental Board Meeting of 10-31-90, for balance of matching funds for ADAA grant, and equipment. 265-343253-741000-0 ($165; 265-343253-977000-0 ($2,988; 265-343253-991273-0 ($1,324)

The Balance in the Reserve for Contingency Fund after this tranfer is $229,394.00.

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

APPROVED:

By Councilmember Benavides:

Carried unanimously

Resolution #684
NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby sets a Public Hearing on the proposed amendments to the Employees Retirement System for Monday, January 7, 1990, at 7:00 P.M. in the Lansing School Administration Building, Board of Education Meeting Room.

By Councilmember Benavides:

Carried unanimously

Resolution #685
BY THE COMMITTEE ON WAYS AND MEANS

WHEREAS, the City of Lansing has been working on a Development Plan for the area in vicinity of the State of Michigan's Boys Training School property with the Eastside Neighborhood Organization, Sparrow Hospital and Lansing School District; and

WHEREAS, the City made application to the Michigan Department of Commerce for a Land Use planning grant for professional services to prepare a land use development plan for the site; and

WHEREAS, the Michigan Department of Commerce has awarded a $30,000 planning grant to the City of Lansing, and the City will match this amount with $6,000 cash and $10,600 in kind service; and

WHEREAS, the City Council Committee on Ways and Means has reviewed the grant award and recommended the City of Lansing receive the grant;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council accept the Michigan Department of Commerce grant of $30,000 to undertake the preparation of the Land Use Planning Study.

AND FURTHER BE IT RESOLVED that an account be established in the Department of Planning and Municipal Development for professional services and appropriate $6,000 for the City's local share match.

By Councilmember Benavides:

Carried unanimously

Resolution #686
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Mary Margaret Murphy-Woll to the Park Board for a term to expire June, 1993, is hereby confirmed.

By Councilmember Lindemann:

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-22-90.216 West Lapeer Street to be rezoned from "DM-4" Residential District to "D-1" Professional Office District.

Z-24-90, 1210 West Ionia Street to be rezoned from "B" Residential District to "C" Residential District.

was introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

Resolution #679
By Councilmember Canady

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 7, 1991 at 7 p.m. in the Lansing School District Administration Building Board Room #106, 519 West Kalamazoo Street, Lansing, Michigan for the purpose of approving and/or opposing the Ordinances for rezoning:

Z-22-90, 216 West Lapeer Street to be rezoned from "DM-4" Residential District to "D-1" Professional Office District.

Carried unanimously

INTRODUCTION OF ORDINANCE

REGARDING DETERMINING EXISTENCE OF A PHYSICAL HAZARD AND THAT BUILDINGS OR STRUCTURES WHICH ARE OPEN AT A DOOR OR WINDOW TO TRESPASSERS ARE NUISANCES

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider amending Sections 1460.20(A)(I)(L), 1460.20(A)(1)(O), and 1460.20 of Chapter 1460 for the purpose of providing that the Building Safety Director has authority to determine the existence of a physical hazard and that buildings or structures which are open at a door or window to trespassers are nuisances.

By Councilmember Lindemann:

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Resolution #681
RESOLUTION SETTING PUBLIC HEARING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, January 7, 1991, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering amending Sections 1460.20(A)(1)(L), 1460.20(A)(1)(O), and 1460.21 of Chapter 1460 for the purpose of providing that the Building Safety Director has authority to determine the existence of a physical hazard and that buildings or structures which are open at a door or window to trespassers are nuisances.

By CouncilmemberLindemann :

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER Canady

That we move to passage of ordinances.

Carried unanimously.

BY COUNCILMEMBER Canady

That Ordinances, when read, be considered as being read in their entirety.

Carried unanimously.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-17-90—3030 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial be placed on order of immediate passage.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-17-90—3030 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial be now passed.

Carried unanimously

ORDINANCE #2327
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-17-90, 3030 South Cedar Street
Parcel Number: 3301-28-406-211

Legal Description: Lot 5 and the south 36.45 feet of Lot 4, Reo Garden Sub., City of Lansing, Ingham County, Michigan

From "A" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-20-90—4722 North Grand River Avenue to be rezoned from "A" Residential and "J" Parking Districts to "J" Parking District be placed on order of immediate passage.

BY COUNCILMEMBER Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-20-90—4722 North Grand River Avenue to be rezoned from "A" Residential and "J" Parking Districts to "J" Parking District be now passed.

Carried unanimously

ORDINANCE #2328
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-20-90, 4722 North Grand River Avenue
Parcel Number: 3301-06-126-001

Legal Description: The south 90 ft of the following described property:

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Beginning at a point 458.7 ft west of north ¼ cor. Sec. 6, T4N, R2W, City of Lansing, Ingham County, Michigan; thence south 1° 53' west 758.2 ft to northern ROW line N. Grand River Ave (Bus. Rt. 1-96); thence northwesterly along said ROW Line 232.35 ft; thence northeasterly 678.1 ft to north line, Sec. 6; thence east 223.1 ft to point of beg. (4722 N. Grand River Av., formerly 4714 N. Grand River Av.). City of Lansing, Ingham County, Michigan.

From "A" Residential and "J" Parking Districts to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

BY THE COMMITTEE ON GENERAL SERVICES:

By Councilmember Schmidt:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending section 288.06 of Chapter 288 of Title 10, for the purpose of indicating that indivudals who have at least four (4) years of management level experience, equivalent to the rank of police lieutenant or above in a City of comparable or larger size, are qualified to apply for the position of Police Chief be placed on order of immediate passage.

By Councilmember Schmidt:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending section 288.06 of Chapter 288 of Title 10, for the purpose of indicating that indivudals who have at least four (4) years of management level experience, equivalent to the rank of police lieutenant or above in a City of comparable or larger size, are qualified to apply for the position of Police Chief be now passed.

YEAS: Belen, Benavides, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ORDINANCE NO. 826

AN ORDINANCE TO AMEND SECTION 288.06 OF CHAPTER 288 OF TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING FOR THE PURPOSE OF INDICATING THAT INDIVIDUALS WHO HAVE AT LEAST FOUR (4) YEARS OF MANAGEMENT LEVEL EXPERIENCE, EQUIVALENT TO THE RANK OF POLICE LIEUTENANT OR ABOVE IN A CITY OF COMPARABLE OR LARGER SIZE, ARE QUALIFIED TO APPLY FOR THE POSITION OF POLICE CHIEF.

The City of Lansing ordains:

Section 1. Section 288.06 is amended to read as follows:

288.06 CHIEF OF POLICE.

The Police Chief shall satisfy the following minimum requirements:

A. Training and Experience. He or she shall have a bachelor's degree in criminal justice, business administration, social science or an equivalent area and ten years of experience as a police officer, ***one of which must have been at a level equivalent to deputy police chief or higher*** AT LEAST FOUR (4) YEARS OF WHICH MUST BE AT A MANAGEMENT LEVEL, EQUIVALENT TO THE RANK OF POLICE LIEUTENANT OR ABOVE IN A CITY WITH A POPULATION OF AT LEAST ONE HUNDRED THOUSAND (100,000). Additionally, the candidate shall have completed sixteen quarter hours or equivalent semester hours of college level course work in supervisory management. An equivalent combination of training and experience in related activities may be substituted for supervisory experience and up to eight quarter hours of the required supervisory management course work.

B. Knowledge and Skills. He or she shall have comprehensive knowledge of the principles, practices and methods of local police administration, organization and operation, including crime prevention; considerable knowledge of the operating procedures of police departments and limitations upon departmental authority, and of Municipal, County, State and Federal criminal and related laws, ordinances and codes. He or she shall have comprehensive skill in the application of modern law enforcement principles and practices; in the analysis of the community's law enforcement needs and developing and implementing plans to satisfy the community's needs; in planning, organizing, assigning, coordinating, supervising and inspecting the work of various police divisions; in establishing and maintaining effective working relationships with other public officials, department members and the general public; and in analyzing police problems and developing plans, programs and policies to resolve them.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance was given immediate effect.

CONSIDERATION OF LATE ITEMS, IF ANY

1/ Committee report and passage of ordinance regarding requirement for Chief of Police

(Handled under Committee Reports and as Ordinance #826)

2/ Resolution granting an Industrial Facilities Exemption Certificate to Ameritainer, Inc.

(Handled as Resolution #682)

3/ Three transfers of funds

(Handled as Resolution # 683)

4/ Resolution setting a public hearing for January 7, 1991, regarding proposed amendments to the Employees Retirement System

(Handled as Resolution #684).

5/ Resolution accepting a grant from the Michigan Department of Commerce

(Handled as Resolution #685)

6/ Resolution appointing Mary Margaret Woll to the Parks Board

(Handled as Resolutcn #686)

PUBLIC COMMENTS

Frank Curtis of 1137 W. Allegan said that articles regarding

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Reverend Farrakhan being anti-semitic are incorrect.

Michael Williams of 505 Lenawee asked Councilmembers if their appointment of Robert Brockwell indicated that future Councilmembers to be appointed would be selected from the same pool of candidates as Mr. Canady and Mr. Brockwell.

John Stolley of Groesbeck congratulated Councilmembers on their appointment of Robert Brockwell. He stated that he felt Mr. Brockwell would be an excellent addition to Council.

Gary Andrews of 560 Brookland Blvd. congratulated Councilmember Ford for standing by his principles and not voting for the appointment of Robert Brockwell.

Andrew Anthos displayed petitions which he stated contained over 20,000 signatures in support of his proposal for soft lighting of the Capitol dome on holidays. He gave an ultimatum of December 31, 1990, at midnight when action must occur on his request or painful consequences will occur.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mr. Boyd had no comments.

REMARKS BY COUNCILMEMBERS

Councilmember Ford stated that he had done some checking into the claim of Luba Millis regarding the damage to an urn at a City cemetery and that he would like to see this claim reconsidered by the Committee on General Services. Councilmember Schmidt stated that she would be glad to have the Committee reconsider this claim upon receipt of paperwork requesting same.

Councilmember Schmidt stated that she is looking forward to working with Robert Brockwell on the Council. She also stated that Maplewood Elementary School will be having a fundraising drive shortly to raise funds for new playground equipment.

Councilmember Crawford stated that the Commitee on Public Safety will be meeting on Thursday, December 13, 1990, at 2:30 P.M. regarding the request for barricades for Baker/Bailey and regarding the proposed ordinance for jogging/walking/running.

Councilmember Benavides reminded everyone that this week's State Journal will contain information on making donations to the Food Bank and urged everyone to support this drive.

BY COUNCIL PRESIDENT:

Meeting adjourned at 8:48 P.M.

James D. Blair, City Clerk

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, December 17, 1990

Lansing School Administration Building
Board of Education Meeting Room

Lansing, Michigan
December 17, 1990

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Belen.

PRESENT: Councilmembers Belen, Benavides, Brockwell, Canady, Crawford, Ford, Lindemann and Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell.

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides:

To accept the following under suspension of the rules:

1/ A resolution regarding barricades for the Baker/Bailey area

2/ A committee report and resolution regarding the closing of the Vital Records Section of the City Clerk's Office

3/ A letter from the Department of Natural Resources regarding the Clean Michigan Committee Implementation Plan

4/ Transfer of funds resolution

5/ Passage of resolution for SLU-14-90, 1419-1421 W. Holmes Road

Carried unanimously

PUBLIC HEARINGS

A. SLU-14-90, 1419-1421 West Holmes Road

Pastor Hawkins of the Tithe Missionary Baptist Church spoke in support of this special land use.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. SLU-17-90, 5400 Block of Dr. Martin Luther King, Jr. Blvd./Logan Street

Reverend Phillip Owens, Pastor of Immanuel Temple Community Church spoke in support of this special land use. Jim Brown of Architectural Research and Consulting was available to answer any questions regarding the work to be done.

Linda DaFoe of 3230 Balzer, representing the local Neighborhood Watch, stated they had some concerns relating to access to the church and to drainage.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENTS

Harold Leeman of 529 N. Francis stated that he felt the proposed user fees for trash, weed and zoning code violations were too low and that the proposed costs for copies was too high.

SPECIAL CEREMONIES

Ron Onufer made a presentation to Dave Wilson on his reaching 100 hours as a production volunteer for Channel 28.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously

A. Letter from the Tri-County Regional Planning Commission regarding need for a Resolution on the Solid Waste Management Plan

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

B. Complaint received regarding the Conduct of a Lansing Police Department Officer

REFERRED TO THE MAYOR

C. Stipulation of Value received re Quality Dairy Company V City of Lansing, Michigan Tax Tribunal Case

RECEIVED AND PLACED ON FILE

D. Michigan Municipal League's 1990-91 Policies

RECEIVED AND PLACED ON FILE

MAYOR or EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mayor McKane reviewed letters E1, E2, E3 and E4 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letter from the City Clerk submitting routine application for action on licenses and bonds:

1. APPROVALS:
Resolution #687
December 14, 1990
President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for

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final action by City Council. They are as follows:

NEW WHOLESALE VENDOR OF BEER/WINE LICENSE: DeRose Distributors, Inc.

5500

Aurelius Road

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

Motion by Councilmember Schmidt:

Resolution by the City Council, City of Lansing, to accept the recommendations of the Clerk.

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of December 10, 1990 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney:

Recommendation of Settlement from the City Attorney:
Rebecca Gesselman V City of Lansing

Resolution #688
December 10, 1990
Council President Lucile Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

RE: REBECCA GESSELMAN v CITY OF LANSING;
Recommendation for Settlement

Dear Council President Belen and Members:

Ms. Gesselman has filed an Application for Hearing alleging an injury to her back. She had previously filed an Application for a back injury, which she later appealed to the Workers' Compensation Appeal Board. The only basis of her appeal was her claimed entitlement to payment for more chiropractic treatment than that which was ordered by the Bureau. The City also appealed the matter, based upon the fact that payments for chiropractic care should not have been ordered.

Discussions with Ms. Gesselman's attorney resulted in an offer to settle the matter on appeal by receiving payment for outstanding chiropractic treatment in the amount of $4,887. After further discussions, the offer was reduced to $4,400 and then $4,000. The attorney then offered to settle the matter for $4,000 and, in addition, he would agree to withdraw the pending Application presently before the Bureau.

Given the likelihood of success by the City in both the Application before the Bureau and the appeal presently before the Appeal Board, it is the recommendation of the Mayor, the Law Department, the Personnel Department, and the Ways and Means Committee that both matters be settled in the amount of $4,000.

As always, if you have any questions or require additional clarification, please feel free to contact me.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides:

Carried unanimously

D. Affidavit of Disclosure submitted by Councilmember Patrick Lindemann

REFERRED TO THE BOARD OF ETHICS

E. Letters from the Mayor re:

1. Cancellation of December Traffic Board Meeting

RECEIVED AND PLACED ON FILE

2. Listing of St. Mary's Cathedral in the National Register of Historic Places

RECEIVED AND PLACED ON FILE

3.
Resolution #689
TO: Council President Lucile Belen and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: December 10, 1990
SUBJ: Trash Violation Fee (V-22)—$1,139.00

The attached violation/assessment fees for removal of trash and debris in the right-of-way are being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides:

Resolved by the City Council, City of Lansing, to accept the recommendations of the Mayor

Carried unanimously

4. Opinion and Order of Judge Brown Affirming Validity of Conviction for a Violation of Lansing's Barricade Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

AMENDMENTS December 13, 1990

TO THE PLANNING AND ZONING CODE
BEING CHAPTER 12 OF THE
CODIFIED ORDINANCES OF LANSING, MICHIGAN

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of amendments to Chapter 12 of the Codified Ordinances of the City of Lansing, commonly known as the Planning and Zoning Code.

REPORTS AS FOLLOWS:

That the Planning and Zoning Code amendments be approved.

SIGNED: Mark H. Canady
Lucile Belen
Tony Benavides

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COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: Belen, Benavides, Canady, Brockwell, Crawford, Ford, Lindemann and Schmidt

NAYS: None

ABSENT: None

THE COMMITTEE ON GENERAL SERVICES, to whom was referred an ordinance to amend Chapter 860 of the city Code to exclude from the requirement for City licensing any shows held at the Civic Arena or the Lansing Center,

REPORTS AS FOLLOWS: This ordinance amendment has been endorsed by the mayor, the City Clerk, and the Greater Lansing Convention/Exhibition Authority. The Committee recommends that the ordinance be adopted.

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

Carried unanimously

THE COMMITTEE ON WAYS AND MEANS

TO WHOM WAS REFERRED The administrative recommendation to transfer the function of the City of Lansing vital Records Office to Ingham County Clerk's Office;

REPORTS AS FOLLOWS: The Committee recommends approval of the accompanying resolution authorizing the transfer of the City Clerk's Vital Records Section to the Ingham County Clerk's office effective January 1, 1991. During its review of this issue the Committee heard testimony from representatives of Teamsters Local 580 expressing their dissatisfaction regarding the initiation and processing of this reduction in force proposal. Recognizing these concerns the Mayor has already initiated a review of the current process with instructions to staff to develop, in writing, adequate procedures and guidelines to govern this process in the future. The Committee requests that the new procedures be submitted to the Council when complete.

SIGNED

BY COUNCILMEMBER BENAVIDES

That the report of the committee be adopted.

Carried unanimously

RESOLUTIONS

Resolution #690
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the firm of David M. Griffith and Associates has conducted and submitted a "Fees for Service Cost/Revenue Study", the objectives of which were to:

(1) Calculate the full costs of providing specific services,

(2) Compare costs of these services with the revenue received, and

(3) Recommend fee levels to recover the full costs of services where such recovery is practical and warranted; and

WHEREAS, the Administration has reviewed this study, and has submitted recommendations regarding the recovery of specific costs to the Lansing City Council; and

WHEREAS, the Committee on Ways and Means has reviewed the Mayor's recommendations, and has worked to identify costs incurred that result from failure to comply with legal or regulatory requirements and to identify costs incurred that result from service to, or regulation of, a limited number of service recipients; and

WHEREAS, while full review of the entire study has not been achieved, the Committee can now recommend adoption of a significant number of new and increased fees as recommended by the Mayor.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the following list of fees for services:

A. CITYWIDE FEES.

1. Photocopies: One dollar per page for the first two pages, twenty-five cents for each page thereafter. This fee applies to each separate document located and copied regardless of length. This fee is subject to the Freedom of Information Act where applicable.

2. Notary Fees: Two dollars per document

B. CITY TREASURER.

1. Check Returned—N.S.F.: Twenty five dollars per check.

C. CITY CLERK.

1. Council Proceedings: One hundred and fifty dollars per year. Churches, libraries, media to continue at no cost.

2. City Charter: Two dollars per copy.

3. Code Supplements; Five Dollars per supplement.

4. Billiard/Bowling Alley License. Twenty Dollars for first item, Ten Dollars for each additional item.

5. Cabaret License: Three Hundred and Fifty Dollars per license.

6. Public Driver License: Fifteen Dollars for a new license. Ten Dollars for new renewal of a license.

7. Auto Wrecker License Class A: Sixty Dollars for first wrecker, Twenty Dollars for each additional wrecker.

8. Auto Wrecker License/Class B: Fifty Dollars for first wrecker, Twenty Dollars for each additional wrecker

9. Rubbish Hauler License: Twenty Dollars per license.

10. Second Hand Dealer License: Two Hundred Dollars per license.

11. Pawn Broker License: Two Hundred Dollars per license.

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12. Auctioneer License: Forty Dollars per license.

13. Auctioneer Sale: Five Dollars per day.

14. Going Out of Business: Sixty Dollars.

15. Ice Cream Peddler Six Month Permit: Fifteen Dollars.

16. Ice Cream PeddlerTwelve Month Permit: Twenty Five Dollars.

17. Health Club License: Two Hundred Dollars per license.

18. Peddler License: Fifteen Dollar filing fee, Seventy Five Dollars for full year.

19. Show Permit: One Hundred Dollars for the first day, fifty dollars for each day thereafter.

20. Explosive Permit: One Hundred Twenty Five Dollars.

21. Massage Therapist: Two Hundred Dollars.

D. CITY ATTORNEY.

1. Public Driver License Appeals: Fifty Dollars.

2. Diversion Program: One Hundred and Fifty Dollars for all offenses with the exception of solicitation.

3. Diversion Hearings: Thirty Five Dollars.

E. POLICE DEPARTMENT

1. False Alarms: The Police Department will respond to two false alarms at no cost within any twelve month period. A Twenty Five Dollar fee will be charged for the third response within a twelve month period.

Twenty Five Dollars shall be added to the fee each time an additional response is required within the twelve month period.

2. Escorts: A fee of Two Hundred and Fifty Dollars shall be charged to escort a house. A fee of One Hundred Dollars shall be charged to escort equipment.

3. Bike Impoundments: Ten Dollars per bike.

4. 911 Recording: Thirty Five Dollars per recording.

5. Criminal Search: Five Dollars.

6. Clearance Letter: Five Dollars

7. Public License Application: Ten Dollars.

8. Fingerprints: Five Dollars.

9. Explosive Permit: Ten Dollars.

10. Accident Report: Three Dollars.

11. Criminal Printout: Two Dollars.

F. BUILDING SAFETY DIVISION.

1. City Certification: Fifty Dollars.

2. Demolitions: Six Hundred Dollars.

3. Trash and Weed Violations with Compliance: A violation notice for a first-time offense for each owner at each address will not be charged. A violation notice for a second offense and each offense thereafter is subject to a Fifty Dollar fee.

4. Zoning Violations with Compliance: A violation nctice for a first-time offense for each owner at each address will not be charged. A violation notice for a second offense and each offense thereafter is subject to a Fifty Dollar fee.

G. PUBLIC SERVICE DEPARTMENT.

1. Utility Cuts: Fourteen Dollars per square foot on major streets, Six Dollars and Fifty Cents per square foot on minor streets, and Three Dollars and Twenty Five Cents per square foot for miscellaneous repairs.

2. Sewer Inspection: Seventy Five Dollar fee for permit and inspection of a sewer connection.

3. Sewer Taps: One Hundred and Seventy Five Dollars to provide a sewer connection.

4. Soil Erosion: A One Hundred Dollar fee plus One Hundred Dollars per acre.

5. Right-Of-Way Permit: Sixty Five Dollars for a permit to occupy the Right-of-Way.

H. PLANNING DIVISION.

1. ACT 285 Review: Two Hundred Dollars.

I. ASSESSOR'S OFFICE.

1. Maps: All maps 8 X 14, 15 X 18, 15 X 36, and 30 X 36 shall cost Five Dollars,

and;

BE IT FURTHER RESOLVED the City Council requests the Administration to provide recommendations identifying collection mechanisms, including the consideration of external collection agencies, for these approved fees not currently being collected; and

BE IT FURTHER RESOLVED the Administration is requested to submit Golf and Athletic League fee recommendations by February 1, of each year so that these fees may be considered for approval prior to the program start-up, and

BE IT FINALLY RESOLVED the City Attorney's Office is requested to provide ordinance amendments as necessitated by the fee revisions.

By Councilmember Benavides:

That this report be considered as read

Carried unanimously

By Councilmember Benavides:

To amend this resolution by deleting item A-1 and item H-1 and returning them to the Committee on Ways and Means for further consideration

Carried unanimously

By Councilmember Benavides:

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To amend this resolution by inserting the word "Driver" between Public and License in item E-7

Carried unanimously

By Councilmember Benavides:

To adopt the resolution as amended

Carried unanimously

Resolution #691
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, amendment of the Adoption Agreement for the City of Lansing Employees Money Purchase Plan is required to reflect that eligibility to participate in said plan has been extended to the District Court Teamsters and Exempt Employees, excluding the judges of the District Court, and has been extended to the City of Lansing Teamsters Supervisory and Non-Supervisory employees as a result of recently ratified collective bargaining agreements; and

WHEREAS, amendment of the Adoption Agreement is needed to clarify that the definition of annual compensation includes any salary deferred pursuant to the City of Lansing's deferred compensation agreements (under Section 457 of the Internal Revenue Code);

NOW, THEREFORE, BE IT RESOLVED, that effective October 29, 1990, District Court Teamsters and Exempt Employees, excluding the judges of the District court, and City of Lansing's Teamsters Supervisory and Non-Supervisory employees are eligible to participate in the City of Lansing Employees Money Purchase Pension Plan upon the same terms and conditions extended to the City's exempt and appointed employees, and elected officials;

BE IT FURTHER RESOLVED that the definition of "annual compensation" in the Adoption Agreement shall include any salary deferred pursuant to the City of Lansing's deferred compensation agreements (under Section 457 of the Internal Revenue Code);

BE IT FINALLY RESOLVED that the Mayor and the City Clerk are authorized to execute amendments to the Adoption Agreement between the City and Manufacturers Bank of Detroit consistent herewith.

By Councilmember Benavides:

Carried unanimously

RESOLUTION NO. 692
By: COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing:

WHEREAS, MacDonald Broadcasting Company, as taxpayer, petitioned City Council to extend payments for a certain special assessment for their property; and,

WHEREAS, Section 1026.07(b) of the Lansing Code of Ordinances permits City Council to grant an extension of time for payment of special assessments by any taxpayer;

NOW THEREFORE, BE IT RESOLVED that pursuant to Section 1026.07(b) of the Lansing Code of Ordinances, MacDonald Broadcasting Company shall have a maximum of twelve (12) years to pay its special assessment on Parcel No. 3301-33-157-001-5 for curb, gutter and sidewalk in the amount of $24,277.03, plus interest.

BE IT FURTHER RESOLVED that the City Attorney prepare the appropriate documents for execution by the above-named taxpayer; and

BE IT FINALLY RESOLVED that upon proper execution of the extension agreement the City Assessor shall prepare and send the taxpayer a bill consistent with this resolution, with the first installment being due and payable ninety (90) days from the date of the original special assessment bill and including interest at a rate of 7% per annum, computed in the same manner that interest is provided for by ordinance for other installment payment of assessments.

By Councilmember Canady:

Carried unanimously

Resolution #693
COMMITTEE OF THE WHOLE

WHEREAS, the Lansing City Council granted Commercial Facilities Exemption Certificates #85-004 and #85-005 in 1985 to Accident Fund of Michigan, 232 South Capitol Avenue, Lansing, Michigan, for a period of twelve years; and

WHEREAS, the granting of these certificates froze the existing building value and abated ½ of the new building value at the above referenced address; and

WHEREAS, subsequent to these abatements being granted the Michigan Supreme Court has ruled that the Accident Fund of Michigan is to be considered a state agency; and

WHEREAS, these certificates should be revoked because the State Legislature enacted Public Act 157, passing on June 26, 1990, which authorizes payments in lieu of taxes to be assessed and collected on the state accident fund in the same manner as on a private insurance company; and

WHEREAS, the Finance Director of the Accident Fund and the Attorney General's Office of the State of Michigan have recommended that the Commercial Facilities Exemption Certificates be revoked; and

NOW, THEREFORE, BE IT RESOLVED, that this Council concurs with Public Act 157, requiring this revocation of current tax abatement status; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Council of the City of Lansing hereby immediately revokes the Commercial Facilities Exemption Certificates #85-004 and #85-005 granted in 1985 to Accident Fund of Michigan, 232 S. Capitol Avenue, Lansing, Michigan; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Clerk shall mail a copy of this resolution to the holder of the certificate and shall record a copy of this resolution with the Ingham County Register of Deeds.

By Councilmember Crawford:

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Carried unanimously

Resolution #694
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, for the past two years, neighborhoods in the Capital City have benefitted from unique improvement programs funded through the Neighborhood Builders Alliance, which is a State of Michigan agency administered by the Department of Commerce through the Michigan State Housing Development Authority; and

WHEREAS, Lansing and local organizations such as the Neighborhood Council have been the recipient of funds for programs such as Paint Blitz, in which volunteers put new coats of paint on 30 houses in one day, and Community Officers Policing Streets (COPS), in which foot patrol officers work with residents in their assigned neighborhood to reduce drug trafficking and other crime; and

WHEREAS, the financial survivability of cities depends on maintenance of a decent quality of life in their neighborhoods, while the cost of programs to serve this purpose grows beyond the means of city governments due to the complexity of urban problems;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby expresses its thanks to the State of Michigan for its direct assistance to Lansing neighborhoods through programs funded by the Neighborhood Builders Alliance; and

BE IT FURTHER RESOLVED the Council respectfully requests that the state consider continuing to fund programs that help local governments and volunteer organizations improve neighborhoods; and

BE IT FINALLY RESOLVED the Council requests the Clerk to send copies of this resolution to Governor-Elect John Engler, the lobbyist for the City of Lansing, and the Michigan Municipal League.

By Councilmember Ford:

To amend this resolution by changing the fifth paragraph to read "BE IT FURTHER RESOLVED the Council respectfully requests that the State consider continuing to fund programs that help local governments and volunteer organizations improve neighborhoods; and "

Carried unanimously

By Councilmember Ford:

To adopt the amended resolution

Carried unanimously

Resolution #695
COMMITTEE OF THE WHOLE December 13, 1990

Act-26-90
Washtenaw and Sycamore Streets

WHEREAS the State of Michigan, through its Department of Management and Budget has requested the City of Lansing to transferownership/jurisdiction of Washtenaw Street between Pine Street to Sycamore Street and Sycamore Street between Allegan Street to Kalamazoo Street to the State; and

WHEREAS the State of Michigan owns the land adjoining all the street segments requested for transfer and has plans for their redesign and construction of a new parking structure adjacent and over the subject streets; and

WHEREAS the street segments to be transferred are described as:

Washtenaw Street right-of-way from the west ROW line of South Pine Street to the east ROW line of Sycamore Street;

Sycamore Street right-of-way from the south ROW line of West Allegan Street to the north ROW line of West Kalamazoo Street; and

WHEREAS the Planning Board has reviewed the request and recommends approval of the transfer with the following provisions:

A) All utility easements be maintained until such time as the distribution and main lines are relocated or discontinued.

B) The City of Lansing be advised by the State and have review responsibility for any plans to alter the use or physical design of either Sycamore or Washtenaw Street prior to implementation

C) Maintenance of the streets will be the responsibility of the State of Michigan; and

WHEREAS the State Department of Management and Budget presented its plan and design for the parking structure to the Council Committee of the Whole and represents that the State is committed to maintaining and keeping said streets open for public street traffic on a twenty-four hour (24) basis; and

WHEREAS the City Council Committee of the Whole concurs with the recommendations of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby vacates Washtenaw Street between South Pine Street and South Sycamore Street, and South Sycamore Street between West Allegan Street and West Kalamazoo Street reserving, however, unto the City of Lansing an easement under, across, above and within the rights-of-way of said vacated streets for utility purposes, including the right of ingress and egress at all times for public or private utility agents and employees to use the vacated streets or so much of it as may be necessary for the installation, maintenance, repair or removal of utilities; and

FURTHER BE IT RESOLVED that the City Council of Lansing understands that the State of Michigan will provide that Washtenaw Street and Sycamore Street will remain open for public street traffic on a twenty-four (24) hour basis unless a change in such use is mutually agreed to by the State of Michigan and the City of Lansing; and

FINALLY BE IT RESOLVED that the City Council of Lansing is directed to record this vacation order with the State of Michigan Treasurer and the Ingham County Register of Deeds within thirty (30) days of the adoption of this resolution.

YEAS: Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Lindemann

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Resolution #696
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Administration has negotiated an agreement in the form of a memorandum of understanding with:

—City Unit Local 2256—UAW,
—International Brotherhood of Teamsters, Chauffeurs, and Warehousemen, Local 580, Supervisory and Clerical, Technical, and Professional Bargaining Units,
—Capitol City Lodge 141, Fraternal Order of Police, Non-Supervisory Unit,
—Capitol City Lodge 141, Fraternal Order of Police, 911 Operators Unit,
—Capitol City Lodge 141, Fraternal Order of Police, Supervisory Unit,
—Capitol City Lodge 141, Fraternal Order of Police, Parks Security Unit,
—International Association of Fire Fighters, Local 421,

regarding the status of benefits for bargaining unit employees during military leave; and

WHEREAS, the duration of each memorandum is September 1, 1990, through March 31, 1991; and

WHEREAS, the Committee of the Whole has reviewed the provisions of the agreement including financial impact;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby ratifies the attached Memorandum of Understanding on Status of Benefits During Military Leave with the above-specified bargaining units; and

BE IT FURTHER RESOLVED the Administration is requested to monitor the status of military and dependent benefits, and immediately report back to the Committee of the Whole any recommended changes to this agreement designed to improve protection of City employees who are called to active duty in the military, as well as their families.

By Councilmember Benavides:

Carried unanimously

Memorandum of Understanding

Status of Benefits During Military Leave

The City of Lansing and the Fraternal Order of Police, 911 Operators, Capitol City Lodge #141 express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

It is the intent of this memorandum to provide a uniform policy for all employees on the status of benefits during military leave. This policy is intended for a limited time period and should not be construed to permanently modify the existing collective bargaining agreements between the parties nor be applied to any non-military leave of absence.

1. Any employee (covered by the Leave provisions of the collective bargaining agreement between the parties) who is called to active duty by the Armed Forces of the United States and makes proper application for leave prior to April 1, 1991 shall have such request granted and shall be accorded the following:

A. Health and Dental insurance coverage for the employee and his/her dependents shall continue at the City's expense for the first six (6) months of such leave;

B. Health and Dental insurance may be continued thereafter by the employee by making arrangements with the Finance Department to make payments therefor;

C. Current life insurance coverage, excluding AD & D, for the employee shall be extended at the City's expense up to a period of six (6) months. Current employee paid life insurance coverage for dependents, if any, shall be extended at the employee's expense up to a period of six (6) months.

D. Upon return from leave reinstatement in the health, dental and life insurance plans shall be effective immediately upon being notified in writing by the employee his or her date of returning to City employment.

E. Military service during said leave shall be credited to the members retirement service credit account in the manner as if the member had served the City without interruption, but in no case no more than five (5) years of service shall be credited;

F. Contributions to the retirement service credit fund shall be suspended until the date of reemployment of the member.

G. Seniority of the employee shall continue to accumulate;

H. Any benefits incidental to seniority shall be provided to the returning employee;

I. The employee shall be reinstated in his/her former job; provided that:

1) the employee has a certificate showing satisfactory completion of military service,

2) the employee applies for reemployment within one (1) year of his/her discharge, and

3) the employee is still qualified to do his/her former job.

2. The duration of this memorandum shall be from September 1, 1990 through March 31, 1991.

3. Upon agreement of both parties this memorandum may be renewed and/or revised to reflect the need of any similar future situations.

IN WITNESS WHEREOF, the parties have set their hands this _____ day of December, 1990.

FOR THE CITY: FOR THE UNION:

BY ITS MAYOR: BY ITS PRESIDENT:

Terry J. McKane
BY ITS CLERK:

James D. Blair

APPROVED AS TO FORM BY
CITY ATTORNEY

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

CERTIFICATION OF AVAILABLE
FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Memorandum of Understanding

Status of Benefits During Military Leave

The City of Lansing and the Fraternal Order of Police, Park Security, Capitol City Lodge #141 express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

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FOR THE CITY: FOR THE UNION:

BY ITS MAYOR: BY ITS PRESIDENT:
Terry J. McKane

BY ITS CLERK:

James D. Blair

APPROVED AS TO FORM BY
CITY ATTORNEY

CERTIFICATION OF AVAILABLE
FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Memorandum of Understanding
Status of Benefits During Military Leave

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FOR THE CITY: FOR THE UNION:

BY ITS MAYOR: BY ITS PRESIDENT:

Terry J. McKane _____

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BY ITS CLERK:

James D. Blair

APPROVED AS TO FORM BY
CITY ATTORNEY

CERTIFICATION OF AVAILABLE
FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Memorandum of Understanding

Status of Benefits During Military Leave

The City of Lansing and the Lansing City Unit, Local 2256, UAW express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

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FOR THE CITY: FOR THE UNION:

BY ITS MAYOR: BY ITS PRESIDENT:

Terry J. McKane _____

BY ITS CLERK:

James D. Blair

APPROVED AS TO FORM BY
CITY ATTORNEY

CERTIFICATION OF AVAILABLE
FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Memorandum of Understanding
Status of Benefits During Military Leave

The City of Lansing and the International Brotherhood of Teamsters, Chaufferurs & Warehousemen, Local 580 express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

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1. Any employee (covered by the Leave provisions of the collective bargaining agreement between the parties) who is called to active duty by the Armed Forces of the United States and makes proper application for leave prior to April 1, 1991 shall have such request granted and shall be accorded the following:

A. Health and Dental insurance coverage for the employee and his/her dependents shall continue at the City's expense for the first six (6) months of such leave;

B. Health and Dental insurance may be continued thereafter by the employee by making arrangements with the Finance Department to make payments therefor;

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FOR THE CITY: FOR THE UNION:

BY ITS MAYOR: BY ITS PRESIDENT:

Terry J. McKane _____

BY ITS CLERK:

James D. Blair

APPROVED AS TO FORM BY
CITY ATTORNEY

CERTIFICATION OF AVAILABLE
FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Memorandum of Understanding

Status of Benefits During Military Leave

The City of Lansing and the International Association of Fire Fighters, Local #421 express their joint concern of the impact on the benefits for the employees and their families in the event any employee is called to active duty due to the situation in the Middle East.

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1. Any employee (covered by the Leave provisions of the collective bargaining agreement between the parties) who is called to active duty by the Armed Forces of the United States and makes proper application for leave prior to April 1, 1991, shall have such request granted and shall be accorded the following:

A. Health and Dental insurance coverage for employee and his/her dependents shall continue at the City's expense for the first six (6) months of such leave;

B. Current life insurance coverage, excluding AD & D, for the employee shall be extended at the City's expense up to a period of six (6) months. Current employee paid life insurance coverage for dependents, if any, shall be extended at the employee's expense up to a period of six (6) months.

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APPROVED AS TO FOR BY
CITY ATTORNEY

CERTIFICATION OF AVAILABLE
FUNDS BY CITY CONTROLLER

LABOR RELATIONS DEPARTMENT

Resolution #697
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lillian Mutter filed a claim against the City for $3,232.92 to cover the cost of replacing a grave monument damaged beyond repair during grounds maintenance at Evergreen Cemetery; and

WHEREAS, the Parks and Recreation Department confirmed that the monument was knocked over by a lawn mower operated by a maintenance employee; and

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WHEREAS, the City Attorney's staff recommendation was to deny the claim under the doctrine of governmental immunity; and

WHEREAS, under the particular circumstances of this incident, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Lillian Mutter in the amount of $3,232.92; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

Carried unanimously

Resolution #698
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Gladys Doolen filed a claim against the City for $210.40 to cover the cost of repairs to a grave monument damaged during grounds maintenance at Evergreen Cemetery; and

WHEREAS, the Parks and Recreation Department confirmed that the monument was damaged when a nearby monument was knocked over by a lawn mower operated by a maintenance employee; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim under the doctrine of governmental immunity; and

WHEREAS, under the particular circumstances of this incident, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Gladys Doolen in the amount of $210.40; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

By Councilmember Schmidt:

Carried unanimously

RESOLUTION #699

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, various entities have approached the City of Lansing in regards to the annual City charitable solicitation campaign; and

WHEREAS, the City of Lansing has decided as a matter of policy to designate one charitable organization to administer the annual City charitable solicitation campaign for City employees; and

WHEREAS, the Mayor has recommended as part of the attached written policy that Capital Area United Way, which has for numerous years conducted an annual charitable solicitation of City employees, is appropriately suited to conduct the City's annual charitable solicitation campaign; and

WHEREAS, the Mayor recommends that City Council adopt the attached written policy governing the City's annual charitable solicitation campaign in order to minimize confusion in this matter and maximize the charitable resources available to serve City residents' needs;

NOW THEREFORE BE IT RESOLVED that the City Council adopts the attached written policy governing the City's annual charitable solicitation campaign; and

BE IT FURTHER RESOLVED that the City Council concurs in the Mayor's recommendation that Capital Area United Way be designated as the administrator of the City's annual charitable solicitation campaign and the Mayor be authorized to enter into the appropriate contract with Capital Area United Way; and

BE IT FINALLY RESOLVED that the attached written policy and the designation of Capital Area United Way as administrator of the City's annual charitable solicitation campaign, provided the appropriate contract is executed by the Mayor and Capital Area United Way, shall be in effect until repealed or amended by resolution of City Council.

By Councilmember Schmidt:

Carried unanimously

Resolution #700
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Warren Eddie to the Senior Citizens Advisory Board for a term to expire June, 1994, is hereby confirmed.

By Councilmember Schmidt:

Carried unanimously

Resolution #701
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Numbers 90-110, which authorizes the installation of a one way regulation on Main Street By-pass at Holmes Street, 90-111, which authorizes the installation of stop signs on Holmes Street at the intersection of Heald/Main/Main By-pass, 90-112, which authorizes the installation of a one way regulation and parking regulations on Heald Place, 90-113, which authorizes the designation of Main Street as a through street and rescinds the one way regulation on Main Street between Pennsylvania Avenue and Holmes Street and 90-114, which authorizes the installationof a stop sign on Main Street at the intersection of Holmes Street.

By Councilmember Crawford:

Carried unanimously

Resolution #702
BY THE COMMITTEE ON PUBLIC SAFETY

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RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-107, which authorizes the installation of a yield sign on Balfour Drive at the intersection of Georgetown Boulevard.

By Councilmember Crawford:

Carried unanimously

Resolution #703
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-106, which authorizes the installation of a stop sign on Woodcreek Lane at the intersection of Bayview Drive.

By Councilmember Crawford:

Carried unanimously

Resolution #704
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-105, which authorizes the installation of stop signs on Palmer Street at the intersection of Beechwood Avenue.

By Councilmember Crawford:

Carried unanimously

Resolution #705
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 90-108, which authorizes the installation of a yield sign on Haag Road at the intersection of Georgetown Boulevard.

By Councilmember Crawford:

Carried unanimously

Resolution #706
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on May 7, 1990, this Council approved City participation with Ingham County in development of a Community Corrections Committee under the provisions of Public Act 511 of 1988; and

WHEREAS, the Ingham County/City of Lansing Community Corrections Advisory Board has applied to the Office of Community Corrections, Michigan Department of Corrections, for a Technical Assistance Grant to enable the development of a local Comprehensive Plan; and

WHEREAS, the grant application must be approved by the City; and

WHEREAS, the Committee on Public Safety has reviewed the application, has found the grant program to have no financial impact on the City, and has recommended Council approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Ingham County/City of Lansing Community Corrections Advisory Board application to the Office of Community Corrections, Michigan Department of Corrections, for a Technical Assistant Grant in the amount of $40,000 with Ingham County as the fiscal agent for the grant.

By Councilmember Crawford:

Carried unanimously

Resolution #709
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on October 15, 1990, this Council received a petition from residents of the Baker/Bailey area requesting that street barricades be placed in their neighborhood, including Baker Street; and

WHEREAS, the petition was referred to the Mayor and to the Committee on Public Safety for investigation; and

WHEREAS, the Mayor's Office recommended that the petition request be denied for the following reasons:

—barricades have not been placed during winter months due to interference with snow plowing operations,

—a community policing officer from LPD was newly assigned to work directly in the neighborhood with residents to combat drug trafficking,

—previously-erected barricades were reduced in effectiveness over time because those involved in drug trade parked their vehicles outside the neighborhood and walked in to conduct their business; and

WHEREAS, the newly-formed Baker/Bailey neighborhood organization, Neighbors United in Action, has repeated the request for barricades; and

WHEREAS, there are differences of opinion between Neighbors United in Action and existing Neighborhood Watch groups on strategies to improve the Baker/Bailey area; and

WHEREAS, the Committee on Public Safety recommends delaying a decision on the petition for barricades until area residents have more opportunities to work together and develop an action plan involving City assistance to the neighborhood;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on Public Safety to hold the petition for barricades in the Baker/Bailey area as a pending item; and

BE IT FURTHER RESOLVED the Council requests the Mayor to instruct LPD personnel and other City staff working with residents of the Baker/Bailey area to fully explain the goals and procedures of City programs that are available to the neighborhood and help develop a coordinated plan of services desired by the residents; and

BE IT FINALLY RESOLVED if the neighborhood decides, after full

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discussion by all factions, that street barricades are still wanted, this Council commits to approving their placement, including Baker Street.

By Councilmember Crawford:

To amend this resolution by deleting the final paragraph and substituting the following new paragraph:

"BE IT FINALLY RESOLVED that if the neighborhood in consultation with the Lansing Police Department, decides that street barricades are still wanted, this Council commits to consider their placement."

Carried unanimously

By Councilmember Crawford:

To adopt the amended resolution:

Carried unanimously

Resolution #710
BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is currently receiving and recording births and deaths that occur in the City of Lansing; and

WHEREAS, in Ingham County, birth/death records are available in four different locations; and

WHEREAS, the City is faced with the necessity of increasing the costs for maintaining this service based upon a recent fee study and the need for additional staffing to handle the workload; and

WHEREAS, City Administration is committed to reducing operating expenses without reducing services; and

WHEREAS, the Ingham County Board of Commissioners has agreed to receive and record birth and death records for the City of Lansing, along with the associated cost and revenue; and

WHEREAS, the Ingham County Clerk's Office has agreed to provide service for all vital records at the Lansing Office located at 303 West Kalamazoo;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council authorizes the closing of the City Clerk's vital Records Section and the assumption of this service by the Ingham County Clerk's Office effective January 1, 1991.

By Councilmember Benavides:

To amend this resolution by adding "BE IT FURTHER RESOLVED that the unexpended funds budgeted for this function in the amount of $23,150 shall be transferred from the City Clerk's FY 91 budget to the reserve contingency account."

Carried unanimously

By Councilmember Benavides:

To adopt the amended resolution:

Carried unanimously

Resolution #711

BY COMMITTEE ON WAYS AND MEANS 12/17/90

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$3,000.00 from City Council—Bgt. Ctrl. 101-112101-992200-00000
49,963.00 from Res. for Cont.—Bgt. Ctrl. 101-173901-992200-13055
52,963.00 to Bgt. Ctrl. 101-933901-992200-13001
(Funds for renovations of City Council Chambers. Balance of funding necessary from Environmental Bond Fund proceeds. To memo account to be established.)

The Balance in the Reserve for Contingency Fund after this transfer is $179,431.00.

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides:

Carried unanimously

Resolution #712
COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-14-90
1419/1421 West Holmes Road
Church Construction

WHEREAS Reverend Hawkins, representing the Tithe Missionary Baptist Church has requested a Special Land Use permit for the property located at 1419/1421 West Holmes Road, more particularly described as:

A part of Section 32, T4N, R2W, City of Lansing, commencing 2471.7 feet west of the northeast corner Section 32; thence south 40 rods, west 181 feet, north 40 rods east 181 feet to point of beginning, Section 32, T4N, R2W, City of Lansing, County of Ingham, Michigan

to allow the construction of a church facility including a sanctuary for approximately 168 persons and educational rooms; and

WHEREAS the Planning board, at their meeting on October 16, 1990, held a public hearing at which time only those representing the church spoke; and

WHEREAS the Board, after careful consideration of the request, with two conditions unanimously recommended approval of the request on November 20, 1990; and

WHEREAS the Physical Development Committee of City Council concurred therewith;

NOW THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the Special Land Use permit for a church on property at 1419/1421 West Holmes Road with the following two conditions:

A. That a landscape screening and buffering plan be submitted to and approved by the Planning Division prior to the issuance of building permits.

B. That a complete drainage and soil erosion sedimentation

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plan be submitted to and approved by the Public Service Department.

In making this recommendation the Board considered the following nine points:

1. The proposed church can be designed, constructed, operated and maintained in a manner harmonious; with the character of the adjacent property and surrounding land uses.

2. The proposed church facility will not change the essential character of the surrounding property.

3. The proposed church should not interfere with the general enjoyment of adjacent properties.

4. The proposed church facility will represent an improvement to the character of the subject property and can be designed to be in keeping with the environment of the lot.

5. The proposed church will not represent a hazard to adjacent properties or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6/7. There are sufficient public services and facilities available to serve the proposed church facility.

8. The proposed church use is consistent with the intent and puspose of the Zoning Code and the objectives of the current comprehensive plan.

9. The proposed church facility can meet the dimensional requirements of the "B" Residential District.

By Councilmember Canady:

Carried unanimously

ORDINANCES FOR INTRODUCTION

Resolution #707
BY Councilmember Benavides

AMENDMENTS TO EMPLOYEES RETIREMENT SYSTEM

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider amending Chapter 292 of the Code of Lansing by amending sections 292.01, 292.14 and 292.311 to define covered positions of the City's Teamster supervisory and non-supervisory employees and the positions of the District Court employees, excluding the Judges thereof; to allow employees occupying or transferring into said positions a one time opportunity to terminate membership in the General Employees Retirement System and transfer to the successor retirement plan; to require that new employees entering said positions on or after October 29, 1990, be excluded from membership in the General Employees Retirement System; and to require that the funded portion of a member's actuarial present value of credited projected benefits be determined by the December 31, 1989 actuarial valuation.

Carried unanimously

A Public Hearing for this ordinance has already been set for January 7, 1991, per resolution #684 adopted by the Lansing City Council on 12/10/90.

BY Councilmember Schmidt

CABLE ADVISORY BOARD

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, to consider amending Chapter 810, of the codified ordinances of the City of Lansing, Michigan by adding new sections 810.21, 810.22 and 810.23, for the purpose of creating a Cable Advisory Board and setting the duties of the Cable Advisory Board.

Carried unanimously

Resolution #708
By Councilmember Schmidt

RESOLUTION SETTING PUBLIC HEARING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, January 14, 1991, at 7:00 P.M. in the Board of Education Meeting Room of the Lansing School District Administration Building located at 519 W. Kalamazoo Street for the purpose of considering amending Chapter 810, of the codified ordinances of the City of Lansing, Michigan by adding new sections 810.21, 810.22 and 810.23, for the purpose of creating a Cable Advisory Board and setting the duties of the Cable Advisory Board.

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Canady

That we proceed to the passage of ordinances.

Carried unanimously

By Councilmember Canady

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

BY Councilmember Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 12, commonly known as the Planning and Zoning Code be placed on order of immediate passage.

BY Councilmember Canady

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 12, commonly known as the Planning and Zoning Code be now passed.

YEAS: Belen, Benavides, Brockwell, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

Ordinance #827

1240.03 DEFINITIONS
CARPORT. "CARPORT" MEANS AN ACCESSORY STRUCTURE

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USED PRIMARILY TO SHELTER PRIVATE MOTOR VEHICLES. A CARPORT IS ATTACHED TO THE PRINCIPAL STRUCTURE AND IS COMPLETELY OPEN ON NOT LESS THAN TWO SIDES.

1240.03 DEFINITIONS

(27) Child Care Facility. "Child care facility" means a facility receiving more than TWELVE preschool or school-aged children AND PROVIDING care WHERE PARENTS OR GUARDIANS ARE NOT IMMEDIATELY AVAILABLE TO THE CHILDREN for:

A. periods of less than twenty-four hours a day, OR

B. not less than two consecutive weeks, regardless of the number of hours of care per day.

The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group or drop-in center. "Child care facility" does not include PRESCHOOL OR SCHOOL AGE CHILDREN IN CLASSES AT A CHURCH FOR A TEMPORARY PERIOD OF TIME OF not more than three hours per day for an indefinite number of days, or OVER THREE HOURS BUT not more than eight hours per day for a number of days not to exceed four weeks, during a CALENDAR YEAR or IN a facility operated by a religious organization where THEY are card for NOT MORE THAN three hours while persons responsible for them are attending religious services.

1240.03 DEFINITIONS.

(65) Garage, private. "Private Garage" means an accessory structure which is PRIMARILY for the PARKING of private motor vehicles OPERATED AS ACCESSORY USES. A PRIVATE GARAGE HAS ACCESS THROUGH AN OVERHEAD DOOR AND HAS A HARD SURFACED DRIVEWAY LEADING TO THE STRUCTURE FROM A PROPERTY LINE.

1240.03 DEFINITIONS.

GROUP DAY CARE HOME. "GROUP DAY CARE HOME" MEANS A PRIVATE HOME RECEIVING MORE THAN SIX AND NOT MORE THAN TWELVE PRE-SCHOOL OR SCHOOL AGE CHILDREN FOR CARE FOR:

A. PERIODS LESS THAN TWENTY-FOUR HOURS A DAY WHERE PARENTS OR GUARDIANS ARE NOT IMMEDIATELY AVAILABLE TO THE CHILDREN, OR

B. NOT LESS THAN TWO CONSECUTIVE WEEKS, REGARDLESS OF THE NUMBER OF HOURS OF CARE PER DAY.

1240.03 DEFINITIONS.

OURDOOR PLAY SPACE. "OUTDOOR PLAY SPACE" MEANS THAT OUTSIDE AREA ON A LOT RESERVED AT A DAY CARE OR GROUP DAY CARE HOME FOR OUTSIDE EXERCISE, LARGE MOTOR SKILL DEVELOPMENT, AND PLAY SPACE OF CHILDREN.

1240.03 DEFINITIONS.

PLANNED NEIGHBORHOOD CONVENIENCE RETAIL CENTER. "PLANNED NEIGHBORHOOD CONVENIENCE RETAIL CENTER" MEANS A BUILDING OR GROUP OF BUILDINGS ON A SINGLE LOT TWO ACRES OR MORE IN SIZE AND DESIGNED TO PROVIDE COMMERCIAL SERVICES TO A RESIDENTIAL NEIGHBORHOOD. RESIDENTIAL NEIGHBORHOOD MEANS THE LAND AREA (WITHIN ONE-HALF MILE RADIUS OF THE PROPOSED PLANNED NEIGHBORHOOD CONVENIENCE RETAIL CENTER), WHICH IS DEVELOPED WITH AT LEAST SEVENTY PERCENT RESIDENTIAL USES.

1240.03 DEFINITIONS.

EMERGENCY SERVICES FACILITY. "EMERGENCY SERVICES FACILITY" INCLUDES, BUT IS NOT LIMITED TO, PUBLIC OR PRIVATE CIVIL DEFENSE, AMBULANCE, OR FIRE SERVICE.

1240.03 DEFINITIONS.

TEMPORARY USE. "TEMPORARY USE" MEANS ANY USE THAT IS NOT PERMITTED AS A PRINCIPAL USE, ACCESSORY USE OR A CONDITIONAL USE IN A ZONING DISTRICT AND IS LIMITED IN ITS DURATION.

1242.01 ENFORCEMENT BY PLANNING DIVISION; AND THE BUILDING SAFETY DIVISION; VIOLATIONS; REVIEWS.

(a) The Planning Division AND THE BUILDING SAFETY DIVISION ARE hereby authorized and directed to enforce this Zoning Code and for such purpose THE AUTHORIZED REPRESENTATIVES OF THE DIVISIONS shall have the powers of a law enforcement officer. As used in this section and throughout these Codified Ordinances, "Planning Division" AND "THE BUILDING SAFETY DIVISION" mean the DivisionS WITHIN the Department of Planning and Municipal Development.

(b) Whenever necessary to make an inspection to enforce any provision of this Zoning Code, or whenever the Planning Division AND THE BUILDING SAFETY DIVISION, or THEIR authorized representatives HAVE reasonable cause to believe that there exists in any structure or upon any lot a violation of this Zoning Code, any authorized CITY representative may, IF ENTRY WOULD NOT OTHERWISE BE LAWFUL, enter the structure or upon the lot to inspect the same, after obtaining the consent of the owner or person having charge or control of the structure or lot, or after obtaining a warrant authorizing entry.

(c) The Planning Division AND THE BUILDING SAFETY DIVISION AND THEIR authorized representativeS charged with enforcement of this Zoning Code, acting in good faith and without malice in the discharge of its duties, shall be indemnified and held harmless by the City against any liability for any damage that may accrue to persons or property as the result of any act or by reason of any act or omission in the discharge of its duties. Any suit brought against the Planning Division AND/OR THE BUILDING SAFETY DIVISION AND/or any employee of the Planning Division OR THE BUILDING SAFETY DIVISION because of such act or omission performed by the employee in the enforcement of any provision of this Zoning Code, shall be defended by legal counsel provided by the City.

(d) No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or lot, or cause or permit the same to be done, in violation of this Zoning Code.

(e) ANY building, STRUCTURE OR LOT erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, occupied or maintained in violation of this Zoning Code shall be a nuisance per se. THE CITY MAY ENJOIN OR ABATE ANY VIOLATION OF ANY OF THE PROVISIONS OF THIS ZONING CODE BY APPROPRIATE ACTION.

1242.99 PENALTY; NOTICE TO ABATE VIOLATIONS; EQUITABLE REMEDIES.

(a) Except as otherwise provided in this Zoning Code, whoever violates any of the provisions of this Zoning Code shall, upon conviction in the District Court, be fined not more than five hundred dollars ($500.00) or imprisoned not more than ninety days, or both, at the discretion of the court.

(b) In all cases where penalties or forfeitures are provided for any act or omission, they shall be held to apply to each and every such act or omission. Each and every day the violation EXISTS shall be a separate act or omission. In addition to the foregoing penalties, the City may enjoin or abate any violation of any of the provisions of this Zoning Code by appropriate action.

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1248.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) Conditional uses described in this section shall be permitted in an A, A-1 or B Residential District, if the dimensional requirements described in Sections 1248.05 to 1248.12, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all local, State and Federal laws are met.

(b) An accessory structure AND/OR AN ACCESSORY USE which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) THE FLOOR AREA OF ALL ACCESSORY STRUCTURES LOCATED ON A LOT LESS THAN 5000 SQUARE FEET IN SIZE SHALL NOT EXCEED 800 SQUARE FEET.

(2) The floor area of all accessory structures located on a lot EQUAL TO OR GREATER THAN 5000 SQUARE FEET IN SIZE shall not exceed 1000 square feet.

(3) NOT MORE THAN ONE ACCESSORY STRUCTURE SHALL BE A PRIVATE GARAGE OR CARPORT.

(4) Same.

(5) Same.

(6) THE FLOOR AREA OF ADDITIONS AND STRUCTURES ATTACHED TO THE PRIVATE GARAGE, INCLUDING BUT NOT LIMITED TO COVERED PATIOS, DECKS, STORAGE AREAS AND CARPORTS, SHALL BE INCLUDED IN CALCULATING THE TOTAL ALLOWABLE FLOOR AREA FOR THAT GARAGE.

(7) Same.

(8) Same.

(9) An accessory structure shall not be used to SERVICE OR repair a motor vehicle OWNED BY a person other than a person having a legal or equitable interest in the lot on which the accessory structure is located.

(10) Same.

(11) AN ACCESSORY USE ON A LOT SHALL NOT INCLUDE MOTOR VEHICLE REPAIR. MOTOR VEHICLE REPAIR DOES NOT INCLUDE MINOR MOTOR VEHICLE SERVICE WHICH IS COMPLETED WITHIN A 24-HOUR PERIOD AND IS LIMITED TO:

(a) CHANGING OIL OR OTHER FLUIDS

(b) MINOR TUNE UP

(c) TIRE ROTATION

(d) CHANGING BRAKE PADS IF VEHICLE IS SUPPORTED IN A SAFE MANNER.

(12) AN ACCESSORY USE OF A LOT MAY INCLUDE THE PARKING OF UP TO FOUR OPERABLE VEHICLES OR ONE OPERABLE VEHICLE FOR EACH LICENSED RESIDENT DRIVER AT THE DWELLING, WHICHEVER IS GREATER. ALL VEHICLES MUST BE INCIDENTAL TO THE PRIMARY USE AND NOT BE STORED ON THE LOT.

(13) AN ACCESSORY USE ON A LOT SHALL NOT INCLUDE JUNK STORAGE.

(c) A temporary structure or a temporary use which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) In the case of a temporary structure, a permit has been issued by the Building Safety Division authorizing the temporary structure.

(2) In the case of temporary use, a permit has been issued by the Planning Division. IN DETERMINING WHETHER TO ISSUE A PERMIT, THE PLANNING DIVISION SHALL REVIEW A REQUEST IN ACCORDANCE WITH THE STANDARDS OUTLINED IN SECTION 1282.02(f)(1)-(9) AND SHALL APPROVE, DENY, OR APPROVE WITH CONDITIONS THE REQUEST.

(3) The person issued a permit under paragraph (c)(1) or (2) hereof agrees in writing to remove the temporary structure or CEASE THE TEMPORARY use pursuant to the permit.

(4) PERMITS ISSUED UNDER PARAGRAPH (c)(1) OR (2) SHALL BE FOR A PERIOD NOT TO EXCEED TWO WEEKS AND UPON REQUEST MAY BE EXTENDED TWICE FOR A PERIOD NOT TO EXCEED TWO WEEKS FOR EACH EXTENSION.

(d) The temporary use of a permanent structure as a real estate office for the purpose of marketing new residential development which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) The temporary use of the permanent structure is located within the residential development.

(2) The temporary use of the permanent structure shall be removed after three years, or after ninety percent of the residential development is sold, whichever comes first.

(e) A home occupation which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) No person, other than a member of the family residing in the dwelling unit, engages in the home occupation.

(2) The use of the dwelling unit as a home occupation is clearly incidental and subordinate to its use for residential purposes.

(3) Not more than twenty percent of the gross floor area of the dwelling unit is used in any way for the home occupation.

(4) No change occurs in the outside appearance of the dwelling.

(5) Not more than one sign exists, which sign does not exceed one square foot in area, is not illuminated and is mounted flat against the wall of the dwelling.

(6) The sale of goods does not occur in the dwelling unit or on the lot on which the dwelling unit is located.

(7) No equipment is used, except equipment which is normally used for purely domestic or household purposes. Equipment not normally used for purely domestic or household purposes may be installed if the Board of Zoning Appeals approves such use. The Board shall approve of such use if it is satisfied that the intensity of use will not be increased to a level that will adversely impact any lot within 300 feet of the lot seeking Board approval.

(f) A temporary bulletin board or sign which meets all of the requirements of Chapter 1440 of Part Fourteen—the Building and Housing Code and does not exceed ten square feet in area shall be permitted in A, A-1 or B Residential District, if the sign advertises the sale or lease of a structure or lot on which the sign is located.

(g) An educational facility, except an educational facility or an agent thereof that is a high school, college, university, trade or vocational school or a community or junior college, shall be permitted in an A, A-1 or B Residential District.

(h) GROUP DAY CARE HOME which meets all of the following conditions shall be permitted in an A, A-1, or B Residential District:

(1) The facility provides and maintains on the lot not less than 900 square feet of OUTDOOR PLAYSPACE.

(2) The use of the structure as a GROUP day care HOME shall be clearly incidental to the principal residential use.

(3) ONE person, other than a member of the family residing in the dwelling, may be employed, AS LONG AS THAT PERSON IS NOT THE PRIMARY CARE GIVER.

(4) No change occurs in the outside appearance of the dwelling.

(5) NO SIGNS ARE PERMITTED.

(6) THE OUTDOOR PLAYSPACE SHALL BE FENCED. THIS

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REQUIREMENT CAN BE WAIVED BY APPROVAL OF THE PLANNING DIVISION IF THE SPECIFIED OUTDOOR AREA IS COMMON OPEN SPACE SHARED WITH OTHER DWELLING UNITS.

(i) A golf course which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) The lot on which the golf course is located has not less than one lot line abutting a principal or minor arterial, as defined in the Comprehensive Plan.

(2) Each vehicular ingress or egress is directly onto a principal or minor arterial, except if approval is obtained from the Planning Board after a public hearing is held pursuant to the procedures described in Section 1282.02.

(j) An outdoor swimming pool which is owned and operated by a governmental entity and which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) Front, rear and side yards are not less than eighty feet, except as provided in paragraph (j)(2) hereof.

(2) If a front, rear or side yard is abutting a D-1, E-1, E-2, F, G-1, G-2, H, I or J District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such yard.

(3) No parking exists in the front yard.

(4) No accessory structure is located in the front yard.

(k) An indoor swimming pool which is owned and operated by a governmental entity and which meets all of the following conditions shall be permitted in an A, A-1, or B Residential District:

(1) Front, rear and side yards are not less than twenty-five feet, except as provided in paragraph (k)(2) hereof.

(2) If a front, rear or side yard abuts a D-1, E-1, E-2, F, G-1, G-2, H, I or J District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard.

(l) A library or museum which is owned and operated bya governmental entity and which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) Front, rear and side yards are not less than twenty-five feet, except as provided in paragraph (1)(2) hereof.

(2) If a front, rear or side yard abuts a D-1, E-1, E-2, F, G-1, G-2, H, I or J District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard.

(3) No parking exists in the front yard.

(4) No accessory structure is located in the front yard.

(m) A functional family which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) Not more than three persons shall be allowed.

(2) The square footage of the bedroom area shall meet the minimum requirements of the Building Code.

(3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.

(n) An attached open carport which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:

(1) The carport is attached to the principal structure.

(2) The carport IS COMPLETELY OPEN on NOT LESS THAN two sides.

(3) The carport is at least three feet from the side lot line and six feet from the closest point that a structure could be or is built on an adjacent lot.

1248.04 SPECIAL LAND USES.

(a) All land uses described in this section may be permitted by Council in accordance with the procedures and conditions described in Chapter 1282, if the conditions described in this section for each use are met and if all Federal, State and local laws are met.

(b) A church which is located on a lot that abuts a collector, a principal arterial or a minor arterial as defined in the Comprehensive Plan may be permitted in an A, A-1 or B Residential District, if the lot is not less than two acres.

(c) A private club, fraternal organization or lodge hall may be permitted in an A, A-1 or B Residential District.

(d) A structure which is used by a governmental entity may be permitted in an A, A-1 or B Residential District.

(e) A structure which is owned or operated by a public utility may be permitted in an A, A-1 or B Residential District.

(f) A residential care facility which provides care for more than six persons may be permitted in an A, A-1 or B Residential District, if it meets all the following conditions:

(1) The residential care facility provides a minimum lot area of not less than 1,000 square feet per resident.

(2) Twenty-four hour supervision is maintained by a sponsoring agency.

(3) The proposed residential care facility is located more than 1,500 feet from an existing residential care facility which provides care for more than six persons.

(g) A recreational facility, not owned or operated by agovernmental entity, including, but not limited to, a recreational center structure or a recreational field which is intended to serve the surrounding residential area, may be permitted in an A, A-1 or B Residential District.

(h) A stable where horses are boarded or leased may be permitted in an A, A-1 or B Residential District.

(i) An off-street surface parking lot may be permitted in an A, A-1 or B Residential District.

(j) A cemetery, columbarium, crematorium or mausoleum which meets the following conditions may be permitted in an A, A-1 or B Residential District:

(1) The lot on which the cemetery, columbarium, crematorium or mausoleum is located contains not less than fifteen acres.

(2) Any columbarium or mausoleum is not located less than 100 feet from an adjacent residentially zoned lot.

(3) Not more than one crematorium is permitted. No crematorium is located within 400 feet of any adjacent residentially zoned lot.

(k) An animal cemetery may be located in an A, A-1 or B Residential District if the lot on which the animal cemetery is located is not less than 100 feet from an adjacent residentially zoned lot.

(l) A trailer camp which meets all the following conditions may be permitted in an A, A-1 or B Residential District:

(1) The lot on which the trailer camp is located contains not less than ten acres.

(2) Each tent or trailer site on the lot contains not less than 500 square feet.

(3) City water and SEWER is available to serve the lot.

(m) A commercial greenhouse or commercial nursery which meets all the following conditions may be permitted in an A, A-1 or B Residential District:

(1) The lot on which the commercial greenhouse or nursery is located contains not less than ten acres.

(2) The lot on which the commercial greenhouse or nursery is

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located has not less than one property line which abuts a principal arterial as designated in the Comprehensive Plan. The primary access is from the principal arterial.

(n) A planned residential development which meets all the conditions described in Chapter 1280 may be permitted in an A, A 1 or B Residential District.

(o) A CHILD CARE FACILITY WHICH MEETS ALL OF THE FOLLOWING CONDITIONS SHALL BE PERMITTED IN AN A, A-1, OR B RESIDENTIAL DISTRICT:

(1) THE FACILITY PROVIDES AND MAINTAINS ON THE LOT NOT LESS THAN 2,500 SQUARE FEET OF OUTDOOR PLAY-SPACE.

(2) FOR EACH CHILD IN THE FACILITY IN EXCESS OF THIRTY-THREE CHILDREN, THE FACILITY SHALL PROVIDE AND MAINTAIN SEVENTY-FIVE ADDITIONAL SQUARE FEET OF OUTDOOR PLAYSPACE.

(3) OUTDOOR PLAYSPACE SHALL BE FENCED.

(4) ONE SIGN SHALL BE PERMITTED WHICH SHALL NOT BE LARGER THAN SIX SQUARE FEET.

1248.10 HEIGHT RESTRICTIONS.

(a) No structure shall exceed thirty-five feet in height in an A, A-1 or B Residential District.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1250.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in a C Residential District if the dimensional requirements described in Sections 1250.05 to 1250.12, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all Federal, State and local laws are met.

(b) Any conditional use shall be permitted in a C Residential District which is permitted in an A, A-1, and B Residential District, as described in Section 1248.03, if all criteria in Section 1248.03 are met.

(c) A functional family which meets all of the following conditions shall be permitted in a C Residential District:

(1) Not more than four persons per unit shall be allowed.

(2) The square footage of bedroom area shall meet the minimum requirements of the Building Code.

(3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.

(d) AN ACCESSORY STRUCTURE AND ACCESSORY USE WHICH MEETS ALL OF THE FOLLOWING CONDITIONS SHALL BE ALLOWED IN THE C RESIDENTIAL DISTRICT:

(1) ACCESSORY STRUCTURES MEETING THE CONDITIONS OUTLINED IN SECTION 1248.03(b) SHALL BE ALLOWED FOR A SINGLE FAMILY UNIT LOCATED IN THE C RESIDENTIAL DISTRICT.

(2) EACH UNIT IN A DUPLEX SHALL BE ALLOWED ONE DETACHED OR ATTACHED ACCESSORY STRUCTURE.

(3) THE MAXIMUM FLOOR AREA OF AN ACCESSORY STRUCTURE FOR EACH UNIT IN A DUPLEX LOCATED ON A LOT LESS THAN 10,000 SQUARE FEET IN SIZE SHALL NOT EXCEED 600 SQUARE FEET IN AREA.

(4) THE MAXIMUM FLOOR AREA OF AN ACCESSORY STRUCTURE FOR EACH UNIT IN A DUPLEX LOCATED ON A LOT 10,000 SQUARE FEET OR GREATER IN SIZE SHALL NOT EXCEED 720 SQUARE FEET IN AREA.

(5) THE FLOOR AREA OF ADDITIONS AND STRUCTURES ATTACHED TO THE ACCESSORY STRUCTURE, INCLUDING BUT NOT LIMITED TO COVERED PATIOS, DECKS, STORAGE AREAS AND CARPORTS, SHALL BE INCLUDED IN CALCULATING THE TOTAL ALLOWABLE FLOOR AREA FOR THAT ACCESSORY STRUCTURE.

1250.10 HEIGHT RESTRICTIONS.

(a) No structure shall exceed thirty-five feet in height in a C Residential District.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1252.10 HEIGHT RESTRICTIONS.

(a) No structure shall exceed forty-five feet in height in a DM-1 Residential District.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1254.02 PRINCIPAL USES PERMITTED.

In a DM-2 Residential District, the following principal uses are permitted:

(a) ONE-FAMILY DWELLING;

(b) A two-family dwelling:

(c) A multiple dwelling;

(d) A public park and playground, except those regulated by special conditions pursuant to Section 1254.03(g), (h) and (i);

(e) An accessory structure; and

(f) A family day care home.

1254.10 HEIGHT RESTRICTIONS.

(a) No structure shall exceed forty-five feet in height in a DM-2 Residential District.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1256.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in a DM-3 Residential District, if the dimensional requirements described in Sections1256.05 to 1256.12, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all Federal, State and local laws are met.

(b) A temporary structure or a temporary use which meets the conditions described in Section 1248.03(c) and (d) shall be permitted in a DM-3 Residential District.

(c) A home occupation which meets the conditions described in Section 1248.03(e) shall be permitted in a DM-3 Residential District.

(d) temporary bulletin board or sign which meets the requirements of Chapter 1440 of Part Fourteen the Building and Housing Code, shall be permitted in a DM-3 Residential District.

(e) An educational facility which meets the conditions described in Section 1252.03(e) shall be permitted in a DM-3 Residential District.

(f) A child care facility which meets the conditions described in Section 1248.03(h) shall be permitted in a DM-3 Residential District.

(g) A golf course which meets the conditions described in Section 1248.03(i) shall be permitted in a DM-3 Residential District.

(h) An outdoor swimming pool owned and operated by a governmental entity which meets the conditions described in Section 1248.03(j) shall be permitted in a DM-3 Residential District.

(i) An indoor swimming pool owned and operated by a governmental entity which meets the conditions described in

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Section 1248.03(k) shall be permitted in a DM-3 Residential District.

(j) A library or museum owned and operated by a governmental entity which meets the conditions described in Section 1248.03(1) shall be permitted in a DM-3 Residential District.

(k) More than one structure containing multiple dwelling units shall be permitted on a lot which is three acres or less in size.

(l) A church shall be permitted in a DM-3 Residential District if it meets all of the following conditions:

(1) The church is located on a collector, principal arterial or minor arterial, as defined in the Comprehensive Plan.

(2) The lot on which the church is located meets the parking requirements of Section 1284.13(b)(1). If, however, the requirements of Section 1284.13(b)(1) cannot be met on the lot, off-site parking spaces may be used to meet the requirements of Section 1284.13(b)(1) as follows:

A. The off-site parking spaces are not more than 300 feet from the perimeter line of the lot on which the church is located.

B. The off-site parking spaces consist of either leased private parking spaces or available public parking spaces. The Planning Division shall, via the site plan review process, determine what constitutes available.

(m) A functional family which meets all of the following conditions shall be permitted in a DM-3 Residential District:

(1) Not more than five persons per unit shall be allowed.

(2) The square footage of each room area shall meet the minimum requirements of the Building Code.

(3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.

(n) A ONE-FAMILY DWELLING SHALL BE PERMITTED ON A LOT OF RECORD.

1256.10 HEIGHT RESTRICTIONS.

(a) No structure shall exceed forty-five feet in height in the DM-3 Residential District.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1258.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in a DM-4 Residential District if the dimensional requirements described in Sections 1258.05 to 1258.12, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all Federal, State and local laws are met.

(b) Any conditional use permitted in a DM-3 Residential District may be permitted in a DM-4 District, if the conditions described in Section 1256.03 are met.

(c) A hospital which meets all of the following conditions shall be permitted in a DM-4 Residential District:

(1) The lot on which the hospital is located is not less than ten acres.

(2) The lot on which the hospital is located has not less than one property line abutting a principal arterial, as defined in the Comprehensive Plan. Each point of ingress and egress shall be directly from a principal or minor arterial.

(3) The ambulance or delivery area shall be obscured from residential view.

(d) A convalescent care home which meets all of the following conditions shall be permitted in a DM-4 Residential District:

(1) Each convalescent care home shall maintain 1,500 square feet of open space for each bed used or intended to be used. The open space shall include landscaping and may include off-street parking, driveways, required yard setbacks and accessory uses.

(2) A convalescent care home shall not be located on a local residential street, as defined in the Comprehensive Plan.

(e) More than one structure containing multiple dwelling units shall be permitted on a lot which is two acres or less in size.

(f) A church shall be permitted in the DM-4 Residential District, if it meets all of the following conditions:

(1) The church is located on a collector, principal arterial or minor arterial, as defined in the Comprehensive Plan.

(2) The lot on which the church is located meets the parking requirements of Section 1284.13(b)(1). If, however, the requirements of Section 1284.13(b)(1) cannot be met on the lot, off-site parking spaces may be used to meet the requirements of Section 1284.13(b)(1) as follows:

A. The off-site parking spaces are not more than 300 feet from the perimeter line of the lot on which the church is located.

B. The off-site parking spaces consist of either leased private parking spaces or available public parking spaces. The Planning Division shall, via the site plan review process, determine what constitutes "available."

(g) A functional family which meets all of the following conditions shall be permitted in a DM-4 Residential District:

(1) Not more than five persons per unit shall be allowed.

(2) The square footage of each room area shall meet the minimum requirements of the Building Code.

(3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.

(h) A ONE-FAMILY DWELLING SHALL BE PERMITTED ON A LOT OF RECORD.

(i) A TWO-FAMILY DWELLING SHALL BE PERMITTED ON A LOT OF RECORD.

1258.10 HEIGHT RESTRICTIONS.

(a) No structure shall exceed 100 feet in height in the DM-4 Residential District.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1260.04 SPECIAL LAND USES.

(a) All land uses described in this section may be permitted by Council in accordance with the procedures and conditions described in Chapter 1282, if the conditions described in this section for each use are met, and if all Federal, State and local laws are met.

(b) A church which is located on a lot that abuts a collector, principal arterial or minor arterial, as defined by the Comprehensive Plan, may be permitted in a D-1 Professional Office District.

(c) A structure which is used by a governmental entity in a manner similar to any of the principal permitted uses described in Section 1260.02 may be permitted in a D-1 Professional Office District, subject to review by the Planning Board pursuant to Public Act 285 of 1931, as amended, being M.C.L.A. 125.31 to 125.45.

(d) A structure which is owned or operated by a public utility in a manner similar to any of the principal permitted uses described in Section 1260.02 may be permitted in a D-1 Professional Office District.

(e) A private club, fraternal organization or lodge hall may be permitted in a D-1 Professional Office District.

(f) Trade associations and union halls with auditoriums may be permitted in a D-1 Professional Office District.

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(g) A surface off-street parking lot may be permitted in a D-1 Professional Office District.

(h) An experimental, research or development laboratory which may involve testing, assemblage and packaging of the products associated with the principal use may be permitted in a D-1 Professional Office District.

(i) A BARBER OR BEAUTY SHOP WHICH MAY INCLUDE THE SALE OF PRODUCTS ASSOCIATED WITH THE PRINCIPAL USE MAY BE PERMITTED IN A D-1 PROFESSIONAL OFFICE DISTRICT.

(j) A PLANNED NEIGHBORHOOD CONVENIENCE RETAIL CENTER WHICH PROVIDES CONVENIENCE COMMERCIAL SERVICES TO THE IMMEDIATE NEIGHBORHOOD MAY BE PERMITTED IN A D-1 PROFESSIONAL OFFICE DISTRICT, IF IT MEETS ALL THE FOLLOWING CONDITIONS:

(1) THE COMMERCIAL SERVICES SHALL CONSIST SOLELY OF THE FOLLOWING PRINCIPAL USES: CONVENIENCE RETAIL OR A COMBINATION OF CONVENIENCE RETAIL, COMPARISON RETAIL AND OFFICE USES.

(2) THE APPLICANT MUST DEMONSTRATE, THROUGH WRITTEN DOCUMENTATION, THAT THE PROPOSED COMMERCIAL SERVICES WILL PROVIDE DIRECT SERVICES TO THE RESIDENTIAL NEIGHBORHOOD WITHIN ONE-HALF MILE RADIUS OF THE PROPOSED COMMERCIAL SERVICES SITE.

(3) "FAST FOOD" RESTAURANT OR DRIVE THROUGH FOOD SERVICE ESTABLISHMENTS SHALL NOT BE PERMITTED.

(4) EXTERIOR LOUD SPEAKERS, PUBLIC ADDRESS SYSTEMS OR SIMILAR AUDIO EQUIPMENT SHALL NOT BE PERMITTED.

(5) THE SITE AREA SHALL NOT BE LESS THAN TWO ACRES.

(6) THE PROPOSED LOCATION SHALL BE DIRECTLY ADJACENT TO AT LEAST A MAJOR OR MINOR ARTERIAL, OR A COLLECTOR STREET.

(7) IN ADDITION TO THE REQUIREMENTS OF SECTION 1242.04, 1242.05, 1242.06 AND 1242.07, THE FOLLOWING SITE DEVELOPMENT STANDARDS SHALL BE INCORPORATED IN A SITE PLAN AND BE SUBMITTED TO THE PLANNING DIVISION PRIOR TO THE PLANNING BOARD PUBLIC HEARING:

(A) FOR A NEIGHBORHOOD CONVENIENCE RETAIL CENTER CONTAINING ANY FOUR-STORY STRUCTURE, A LANDSCAPING, SCREENING AND BUFFERING STRIP NOT LESS THAN TWENTY-FIVE FEET WIDE ALONG ALL SITE PROPERTY LINES WHICH ARE ADJACENT TO OR ABUT RESIDENTIALLY ZONED AND/OR DEVELOPED PROPERTY. A MINIMUM FIVE FOOT WIDE LANDSCAPE STRIP ALONG SITE PROPERTY LINES WHICH ARE ADJACENT TO OR ABUT NONRESIDENTIAL ZONED OR DEVELOPED PROPERTY.

(B) FOR A NEIGHBORHOOD CONVENIENCE RETAIL CENTER CONTAINING ANY TWO OR THREE-STORY STRUCTURE, A LANDSCAPING, SCREENING AND BUFFERING STRIP NOT LESS THAN FIFTEEN FEET WIDE ALONG ALL SITE PROPERTY LINES WHICH ARE ADJACENT TO OR ABUT RESIDENTIALLY ZONED AND/OR DEVELOPED PROPERTY. A MINIMUM FIVE-FOOT WIDE LANDSCAPE STRIP ALONG SITE PROPERTY LINES WHICH ARE ADJACENT TO OR ABUT NONRESIDENTIAL ZONED OR DEVELOPED PROPERTY.

(C) FOR A NEIGHBORHOOD CONVENIENCE RETAIL CENTER CONTAINING ONLY ONE-STORY STRUCTURES, A LANDSCAPING, SCREENING AND BUFFERING STRIP NOT LESS THAN TEN FEET WIDE ALONG ALL SITE PROPERTY LINES WHICH ARE ADJACENT TO OR ABUT RESIDENTIALLY ZONED AND/OR DEVELOPED PROPERTY. A MINIMUM FIVE FOOT WIDE LANDSCAPE STRIP ALONG SITE PROPERTY LINES WHICH ARE ADJACENT TO OR ABUT NONRESIDENTIAL ZONED OR DEVELOPED PROPERTY.

(D) A PARKING LOT WITH A LANDSCAPING PLAN APPROVED BY THE PLANNING DIVISION AND CONTAINING INTERIOR LANDSCAPED AREA(S) EQUAL TO A MINIMUM OF TEN PERCENT OF THE TOTAL PARKING LOT AREA.

(E) A SITE LIGHTING SYSTEM PLAN APPROVED BY THE PLANNING DIVISION WHICH IS LOW PROFILE AND ORIENTED TO THE INTERIOR OF THE SITE AND AWAY FROM ADJACENT PROPERTIES.

(F) SCREENED SOLID WASTE COLLECTION CONTAINER(S) WHICH ARE ENCLOSED ON ALL SIDES.

(G) SCREENED UTILITY SERVICE FACILITIES.

(8) NO BUILDING PERMITS SHALL BE ISSUED UNTIL THE FINAL SITE PLAN HAS BEEN APPROVED BY THE PLANNING BOARD.

(9) THE APPLICANT MUST DEMONSTRATE THROUGH WRITTEN DOCUMENTATION ACCEPTABLE TO THE PUBLIC SERVICE DEPARTMENT DIRECTOR OR HIS DESIGNEE THAT THE SITE CAN BE ADEQUATELY SERVED WITH ALL REQUIRED UTILITIES.

(10) THE APPLICANT MUST DEMONSTRATE THROUGH WRITTEN DOCUMENTATION ACCEPTABLE TO THE TRANSPORTATION ENGINEER OR HIS DESIGNEE THAT ALL TRAFFIC SAFETY REQUIREMENTS ARE MET.

(11) IN ADDITION TO MEETING THE REQUIREMENTS OF THE SIGN CODE (SECTION 1440), SIGNS FOR ALL STORES IN THE PLANNED NEIGHBORHOOD CONVENIENCE RETAIL CENTER SHALL BE CONSISTENT IN DESIGN.

(k) A PUBLIC OR PRIVATE EMERGENCY SERVICE FACILITY MAY BE PERMITTED IN THE D-1 PROFESSIONAL OFFICE DISTRICT.

1262.10 HEIGHT RESTRICTIONS.

(a) The maximum height of a structure in the D-2 Residential-/Office District shall be equal to the existing height of the structure, or, in the case of new construction, shall not be higher than the average height of structures within the block.

(b) A DETACHED ACCESSORY STRUCTURE SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT.

1264.08 SIDE YARDS.

(a) There shall be not less than one side yard in an E-1 Apartment Shop District. Each minimum side yard may vary in size from ABUTTING THE SIDE PROPERTY LINE to twenty-five feet. This range of side yard dimensions shall provide greater side yard distances for landscaping, screening and buffering in excess of the minimum requirements of Chapter 1290 if a land use of a more intense nature is established abutting a land use of a less intense nature. The exact footage of each side yard within this range shall be determined by the Planning Division, based upon all of the following criteria:

(1) The location and size of structures on abutting lots;

(2) The type and intensity of use on abutting lots:

(3) The size of the structure on the lot for which the building permit is being sought;

(4) The site, design and layout of the structure on the lot for which the building permit is being sought, including,but not limited to, the space required for vehicular access; and

(5) The design, location and type of materials used in

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complying with Chapter 1290.

(b) If the Planning Division rejects a proposed side yard dimension which is within the required range, it shall do so in writing, giving specific reasons for the denial.

1266.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in an E-2 Local Shopping District if the dimensional requirements described in Sections 1266.06 to 1266.09, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all local, State and Federal laws are met.

(b) A temporary structure or a temporary use WHICH meets the conditions DESCRIBED IN SECTION 1248.03(c) SHALL BE PERMITTED IN AN E-2 LOCAL SHOPPING DISTRICT:

(c) A temporary bulletin board or sign shall be permitted in an E-2 Local Shopping District if it meets the requirements of Chapter 1440 of Part Fourteen the Building and Housing Code.

(d) A planned development shall be permitted in an E-2Local Shopping District if it meets the requirements of Sections 1242.04 to 1242.07.

(e) A library or museum owned or operated by a governmental entity which meets the conditions described in Section 1248.03(1) shall be permitted in an E-2 Local Shopping District.

(f) A clinic shall be permitted in an E-2 Local Shopping District, if the lot on which the clinic is located has not less than one lot line abutting a principal or minor arterial, as defined in the Comprehensive Plan. Each point of ingress or egress shall be directly onto a principal or minor arterial.

(g) A nonaccessory free-standing sign which meets the following conditions shall be permitted in an E-2 Local Shopping District:

(1) The location and size of the sign meets the height and area requirements as described in Sections 1266.05 to 1266.09.

(2) There shall be not more than one nonaccessory free-standing sign per lot.

1266.07 SIDE YARDS.

(a) There shall be not less than one side yard in an E-2 Local Shopping District. Each minimum side yard may vary in size from THE ABUTTING SIDE PROPERTY LINE to twenty-five feet. This range of side yard dimensions shall provide greater side yard distances forlandscaping, screening and buffering in excess of the minimum requirements of Chapter 1290 if a land use of a more intense nature is established abutting a land use of a less intense nature. The exact footage of a side yard within this range shall be determined by the Planning Division, based upon all of the following criteria:

(1) The location and size of structures on abutting lots;

(2) The type and intensity of use on abutting lots;

(3) The size of the structure on the lot for which the building permit is being sought;

(4) The site, design and layout of the structure on the lot for which the building permit is being sought, including, but not limited to, the space required for vehicular access; and

(5) The design, location and type of materials used in complying with Chapter 1290.

(b) If the Planning Division rejects a proposed side yard dimension which is within the required range, it shall do so in writing, giving specific reasons for the denial.

1268.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in an F or F-1 Commercial District if the dimensional requirements described in Sections 1268.05 to 1268.09 the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all local, State and Federal laws are met.

(b) Any conditional use which is permitted in the E-2 Local Shopping District as described in Section 1266.03, shall be permitted in an F or F-1 Commercial District, if the conditions of Section 1266.03 are met.

(c) A hospital shall be permitted in the F or F-1 Commercial District, if the conditions described in Section 1258.03(c) are met.

(d) A clinic shall be permitted in an F or F-1 Commercial District, if the conditions described in Section 1260.03(e) are met.

(e) An animal hospital which provides no kennel shall be permitted in an F or F-1 Commercial District.

(f) A kennel which meets all of the following conditions shall be permitted in an F or F-1 Commercial District:

(1) If the lot on which the kennel is located abuts a residential use, any structure shall be set back not less than fifty feet from each adjacent residential lot line.

(2) Each kennel which has an outside exercise run or treatment area shall have a lot size of not less than ten acres.

(3) If a kennel has an open exercise run or treatment area, the open exercise run or treatment area shall be located not less than 400 feet from any lot line.

(g) The use of a lot for the sale of new or used automobiles, trailers, boats, farm machinery or equipment, recreational vehicles, lawn furniture, playground equipment or garden supplies shall be permitted in an F or F-1 Commercial District, if all of the following conditions are met:

(1) The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphaltic concrete.

(2) Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets.

(3) Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure.

(4) Lighting shall be directed away from any adjacent Residential District.

1248.04 SPECIAL LAND USES.

(a) All land uses described in this section may be permitted by Council in accordance with the procedures and conditions described in Chapter 1282, if the conditions described in this section for each use are met and if all Federal, State and local laws are met.

(b) A church which is located on a lot that abuts a collector, a principal arterial or a minor arterial as defined in the Comprehensive Plan may be permitted in an A, A-1 or B Residential District, if the lot is not less than two acres.

(c) A private club, fraternal organization or lodge hall may be permitted in an A, A-1 or B Residential District.

(d) A structure which is used by a governmental entity may be permitted in an A, A-1 or B Residential District.

(e) A structure which is owned or operated by a public utility may be permitted in an A, A-1 or B Residential District.

(f) A residential care facility which provides care for more than six persons may be permitted in an A, A-1 or B Residential District, if it meets all the following conditions:

(1) The residential care facility provides a minimum lot area of not less than 1,000 square feet per resident.

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(h) A RESIDENTIAL USE SHALL BE PERMITTED WITH THE PRINCIPAL USE IN AN F OR F-1 COMMERCIAL DISTRICT, PROVIDED THAT THE RESIDENTIAL USE MEETS THE LOT AREA AND PARKING REQUIREMENTS OF THE DM-3 RESIDENTIAL DISTRICT.

(i) A child care facility which meets the following conditions shall be permitted in an F or F-1 Commercial District:

(1) The facility shall provide and maintain on the lot not less than 5,000 square feet of open space.

(2) For each child in the facility in excess of thirty-three children, the facility shall provide and maintain 150 additional square feet of outdoor play area.

(j) A planned development shall be permitted in an F or F-1 Commercial District, if it meets the requirements of Sections 1242.04 to 1242.07.

(k) A library or museum owned or operated by a governmental entity which meets all of the conditions described in Section 1248.03(1) shall be permitted in an F or F-1 Commercial District.

(l) A nonaccessory free-standing sign which meets the following conditions shall be permitted in an F or F-1 Commercial District:

(1) The location of the sign shall meet the height and area requirements described in Sections 1268.05 to 1268.09.

(2) There shall be not more than one nonaccessory free-standing sign per lot.

(m) A functional family which meets all of the following conditions shall be permitted in anF or F-1 Commercial District:

(1) Not more than five persons per unit shall be allowed.

(2) The square footage of each room area shall meet the minimum requirements of the Building Code.

(3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.

1272.02 PRINCIPAL USES PERMITTED.

In a G-2 Wholesale District, the following principal uses are permitted:

(a) Any principal use permitted in an F Commercial District, except residential uses and lodging houses:

(b) A storage warehouse;

(c) A wholesale business;

(d) A public garage;

(e) A public park and playground, except those regulated by specialcondition pursuant to Section 1256.03(9), (h) and (i);

(f) An accessory structure which is customarily incidental to any use permitted in this section, INCLUDING, BUT NOT LIMITED TO, A CARETAKER OR WATCHPERSON'S RESIDENCE; and

(g) Any other use which, by the decision of the Planning Board, is similar to the principally permitted uses set forth in this section.

1272.07 SIDE YARDS.

(a) There shall be not less than one side yard in a G-2 Wholesale District. Each minimum side yard may vary in size from ZERO to twenty-five feet. This range of side yard dimensions shall provide greater side yard distances for landscaping, screening and buffering in excess of the minimum requirements of Chapter 1290, if a land use of a more intense nature is established abutting a land use of a less intense nature. The exact footage of a side yard within this range shall be determined by the Planning Division, based upon all of the following criteria:

(1) The location and size of structures on abutting lots;

(2) The type and intensity of use on abutting lots;

(3) The size of the structure on the lot for which the building permit is being sought;

(4) The site design and layout of the building on the lot for which the building permit is being sought, including, but not limited to, the space required for vehicular access;

(5) The design, location and type of materials used in complying with Chapter 1290; and

(6) The existence of a ralroad right of way which abuts the lot.

(b) If the Planning Division rejects a proposed side yard dimension which is within the required range, it shall do so in writing, giving specific reasons for the denial.

1274.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in an H Light Industrial District, if the dimensional requirements described in Sections 1274.05 to 1274.09, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section, and all local, State and Federal laws are met.

(b) A temporary structure or a temporary use which meets conditions DESCRIBED IN SECTION 1248.03(c) shall be permitted in a H Light Industrial District:

(c) An educational facility which is a trade or vocational school shall be permitted in an H Light Industrial District, if it meets all of the following conditions:

(1) The lot on which the facility is located shall have not less than one lot line abutting a principal or minor arterial, as defined in the Comprehensive Plan.

(2) The primary point of ingress and efress to the educational facility shall be directly connected to the principal or minor arterial described inparagraph (c)(1) hereof, except if approval is obtained from the Planning Board after a public hearing held pursuant to the procedures described in Section 1282.02.

(d) A child care facility which meets all of the following conditions shall be permitted in an H Light Industrial District:

(1) The facility shall provide and maintain on the lot not less than 5,000 square feet of outdoor play area.

(2) For each child in the facility in excess of thirty-three children, the facility shall provide and maintain 150 additional square feet of outdoor play area.

(e) An animal hospital shall be permitted in an H Light Industrial District, if no kennels are located on the lot.

(f) A kennel which meets all of the following conditions shall be permitted in an H Light Industrial District:

(1) If the lot on which the kennel is located abuts a Residential District, any structure shall be not less than fifty feet from each abutting residential lot line.

(2) Each kennel which has an outside exercise run or treatment area shall have a lot size of not less than ten acres.

(3) If a kennel has an open exercise run or treatment area, the open exercise run or treatment area shall be located not less than 400 feet from any lot line.

(g) The use of a lot for the sale of new or used automobiles, trailers, boats, farm machinery or equipment, recreational vehicles, lawn furniture, playground equipment or garden supplies, which meets all of the following conditions, shall be permitted in an H Light Industrial District:

(1) The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphalt.

(2) Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets.

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(3) Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure.

(4) Lighting shall be directed away from any adjacent Residential District.

(h) A motor vehicle repair station which meets all of the following conditions shall be permitted in an H Light Industrial District:

(1) All activities shall be conducted within an enclosed structure.

(2) Any vehicle stored on the lot shall be stored in an enclosed structure or within a completely fenced area.

(i) A heliport which meets all of the following conditions shall be permitted in an H Light Industrial District:

(1) The heliport serves the principal use of the lot on which the heliport is located.

(2) The heliport is not less than fifty feet from any lot line.

(j) A temporary bulletin board or sign shall be permitted in an H Light Industrial District, if it meets all of the requirements of Chapter 1440 of Part Fourteen—the Building and Housing Code.

(k) A library or museum owned or operated by a governmental entity which meets all of the conditions described in Section 1248.03(1), shall be permitted in an H Light Industrial District.

(l) A planned development shall be permitted in an H Light Industrial District, if it meets the requirements of Sections 1242.04 to 1242.07.

(m) A clinic shall be permitted in an H Light Industrial District, if the lot on which the clinic is located has not less than one lot line abutting a principal or minor arterial, as defined in the Comprehensive Plan. Each point of ingress or egress shall be directly onto a principal or minor arterial.

1274.04 SPECIAL LAND USES.

(a) All land uses described in this section may be permitted by Council in accordance with the procedures and conditions described in Chapter 1282, if the conditions described in this section for each use are met, and if all Federal, State and local laws are met.

(b) A structure which is used by a governmental entity may be permitted in an H Light Industrial District.

(c) An automotive drive-in theater which meets all of the following conditions may be permitted in an H Light Industrial District:

(1) Each point of ingress and egress shall be connected to a principal or minor arterial, as defined in the Comprehensive Plan.

(2) A waiting area on the lot shall be provided for vehicles entering the theater.

(3) Lighting shall be directed away from adjacent Residential Districts.

(d) A storage yard not described in Section 1274.02(i) and (j) may be permitted in an H Light Industrial District.

(e) An experimental, research or development laboratory may be permitted in an H Light Industrial District.

(f) A church which is on a lot that abuts a collector, principal arterial or minor arterial, as defined by the Comprehensive Plan, may be permitted in an H Light Industrial District.

(g) A RESIDENTIAL USE WHICH MEETS THE LOT AREA AND PARKING REQUIREMENTS OF THE DM-4 RESIDENTIAL DISTRICT MAY BE PERMITTED IN THE H LIGHT INDUSTRIAL DISTRICT.

1276.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The conditional uses described in this section shall be permitted in an I Heavy Industrial District, if the dimensional requirements described in Sections 1276.05 to 1276.09, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section, and all local, State and Federal laws are met.

(b) A temporary structure or a temporary use WHICH meets the conditions DESCRIBED IN SECTION 1248.03(c) SHALL BE PERMITTED IN AN I HEAVY INDUSTRIAL DISTRICT:

(c) An educational facility which is a trade or vocational school shall be permitted in an I Heavy Industrial District, if it meets all of the following conditions:

(1) The lot on which the facility is located shall have not less than one lot line abutting a principal or minor arterial, as defined in the Comprehensive Plan.

(2) The primary point of ingress and egress to the educational facility shall be the point of ingress and egress connected to the principal or minor arterial described in paragraph (c)(1) hereof, except if approval is obtained from the Planning Board after a public hearing held pursuant to the procedures described in Section 1282.02.

(d) A child care facility which meets all of the following conditions shall be permitted in an I Heavy Industrial District:

(1) The facility shall provide and maintain on the lot not less than 5,000 square feet of outdoor play area.

(2) For each child in the facility in excess of thirty-three children, the facility shall provide and maintain 150 additional square feet of outdoor play area.

(e) An animal hospital shall be permitted in an I Heavy Industrial District, if no kennels are located on the lot.

(f) A kennel which meets all of the following conditions shall be permitted in an I Heavy Industrial District:

(1) If the lot on which the kennel is located abuts a Residential District, any structure shall be not less than fifty feet from each abutting residential lot line.

(2) Each kennel which has an outside exercise run or treatment area shall have a lot size of not less than ten acres.

(3) If a kennel has an open exercise run or treatment area, the open exercise run or treatment area shall be located not less than 400 feet from any lot line.

(g) The use of a lot for the sale of new or used automobiles, trailers, boats, farm machinery or equipment, recreational vehicles, lawn furniture, playground equipment or garden supplies, which meets all of the following conditions, shall be permitted in an I Heavy Industrial District:

(1) The area of the lot on which the items described in this subsection are located shall be covered with Portland cement or asphalt.

(2) Each point of vehicular ingress and egress to the lot shall be not less than sixty feet from the intersection of any two streets.

(3) Repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure.

(4) Lighting shall be directed away from any adjacent Residential District.

(h) A motor vehicle repair station which meets all of the following conditions shall be permitted in an I Heavy Industrial District:

(1) All activities shall be conducted within an enclosed structure.

(2) Any vehicle stored on the lot shall be stored in an enclosed structure or within a completely fenced area.

(i) A storage yard which stores material or equipment not used

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in the normal manufacturing operations of the principal use shall be permitted in an I Heavy Industrial District, if it meets all of the following conditions:

(1) The materials are enclosed within a structure or a fence which obstructs vision and is not less than eight feet in height.

(2) The materials stored within twenty feet of the fence described in paragraph (i)(1) hereof shall not exceed the height of the fence.

(3) A plan is submitted and approved by the Planning Division, which plan shows the type and location of the fence. The plan shall be approved by the Division if it meets all the requirements of Chapter 1290.

(j) A salvage yard which meets all of the following conditions shall be permitted in an I Heavy Industrial District:

(1) The materials are enclosed by a structure or a fence, not less than eight feet in height, that obstructs vision.

(2) The materials stored within twenty feet of the fence described in paragraph (j)(1) hereof shall not exceed the height of the fence.

(3) A plan is submitted to and approved by the Planning Division, which plan shows the type and location of the fence.

(4) No outdoor burning occurs on the lot on which the salvage yard is located.

(k) A heliport which meets all of the following conditions shall be permitted in an I Heavy Industrial District:

(1) The heliport serves the principal use of the lot on which the heliport is located.

(2) The heliport is not less than fifty feet from any lot line all of the following conditions may be permitted in an I Heavy Industrial District:

(1) The lot on which the borrow pit is located shall have at least one lot line abutting a principal arterial, as defined in the Comprehensive Plan.

(2) Each point of ingress and egress shall be connected to a principal arterial, as defined in the Comprehensive Plan.

(3) The applicant shall submit to the Planning Division certification that all applicable State and Federal laws and rules have been met.

(4) No ground shall be moved or removed within 300 feet of an abutting lot line.

(5) The Public Service Department certifies that the requirements of Chapter 1218 are met.

(6) Haul roads shall be treated for dust.

(7) The operation of an extraction activity shall not result in overhanging earth material which creates a situation which endangers the public health, safety and general welfare.

(8) Standing water pools greater than two feet in depth shall be made safe and secure, so as not to endanger the public health, safety and general welfare.

(9) An applicant seeking a special land use for a borrow pit shall agree, in writing, to rehabilitate the borrow pit within a time specified by Council.

(10) An applicant seeking a special land use for a borrow pit shall submit a rehabilitation plan to the Planning Division. Such plan shall be approved by the City Engineer and the Division if the plan presents a means of rehabilitating the borrow pit in a way which promotes the health, safety and general welfare of the public. The plan shall specify how the reclamation, rehabilitation or filling is to be accomplished and shall include a statement as to the proposed future use of the borrow pit.

(11) An applicant seeking a special land use for a borrow pit shall submit a performance bond to the City Treasurer, in an amount which guarantees rehabilitation of the borrow pit consistent with the plan described in paragraph(f)(10) hereof.

(g) A junkyard which meets all of the following conditions may be permitted in an I Heavy Industrial District:

(1) The materials are enclosed by a structure or a fence, not less than eight feet in height, that obstructs vision.

(2) The materials stored within twenty feet of the fence described in paragraph (9)(1) hereof shall not exceed the height of the fence.

(3) A plan is submitted to and approved by the Planning Division, which plan shows the type and location of the fence.

(4) No outdoor burning occurs on the lot on which the junkyard is located.

(h) An experimental, research or development laboratory may be permitted in an I Heavy Industrial District.

(i) A church which is on a lot that abuts a collector, principal arterial or minor arterial, as defined by the Comprehensive Plan, may be permitted in an I Heavy Industrial District.

(j) A RESIDENTIAL USE WHICH MEETS THE LOT AREA AND PARKING REQUIREMENTS OF THE DM-4 RESIDENTIAL DISTRICT MAY BE PERMITTED IN THE I HEAVY INDUSTRIAL DISTRICT.

1278.04 SPECIAL LAND USES.

(a) All land uses described in this section may be permitted by Council in accordance with the procedures and conditions described in Chapter 1282, if the conditions described in this section for each use are met, and if all Federal, State and local laws are met.

(b) Commercial uses may be permitted on the first floor of an off-street parking structure IN A J PARKING DISTRICT, if all of the following conditions are met:

(1) The lot on which the parking structure is located is adjacent to an E-1, E-2, F, G-1, G-2, H or I District.

(2) The lot on which the parking structure is located has not less than one lot line which abuts a principal or minor arterial, as designated in the Comprehensive Plan. The access shall be from the principal or minor arterial.

(c) THE SALE OF NEW AND USED MOTOR VEHICLES MAY BE PERMITTED IN A J PARKING DISTRICT, IF ALL THE FOLLOWING CONDITIONS ARE MET:

(1) THE AREA ON WHICH THE ITEMS DESCRIBED IN THIS SUBSECTION ARE LOCATED SHALL BE COVERED WITH PORTLAND CEMENT OR ASPHALTIC CONCRETE.

(2) EACH POINT OF VEHICULAR INGRESS AND EGRESS TO THE LOT SHALL BE NOT LESS THAN SIXTY FEET FROM THE INTERSECTION OF ANY TWO STREETS.

(3) ANY REPAIR OR REFINISHING WHICH IS DONE ON THE LOT SHALL BE DONE WITHIN THE CONFINES OF AN ENCLOSED STRUCTURE.

(4) LIGHTING SHALL BE DIRECTED AWAY FROM ANY ADJACENT RESIDENTIAL DISTRICT.

1284.13 SCHEDULE OF REQUIRED SPACES.

The number of minimum parking space per unit of measure within each use is as follows:

(a) Residential.

(1) One-Family and two-family. Two for each dwelling unit. Both parking spaces may be on an approved driveway. If both spaces are on an approved driveway, the measurement of the parking spaces shall start five feet inside the property line. "Approved driveway" means a driveway as defined in Section

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1240.03.

(2) Multifamily.

A. Dwelling units with two or more bedrooms, two spaces;

B. Dwelling units with one bedroom, one and one-half spaces; and

C. Efficiency dwelling unit, one space.

(3) Housing for the elderly. One for each two units and one for each employee. If the units are no longer used for housing for the elderly, then the requirements in paragraph (a)(2) hereof shall be met.

(4) Trailer park and mobile home court. Two spaces per lot, at least one of which to be provided on the lot. To provide the balance of this requirement, parking may be provided within 300 feet of all lots it is intended to serve. All parking areas shall be clearly defined and hard surfaced.

(5) Boarding or lodging house. One for each boarder or lodger, plus one for each employee.

(6) Functional family. One off-street parking space for each vehicle associated with the members of the functional family, but not less than two spaces altogether.

(b) Institutional.

(1) Church, temple or synagogue. One for each three seats or six linear feet of pews in the main unit of worship;

(2) Hospital. Two for each bed, plus the requirements for outpatient facilities and offices as described in paragraph (d)(4) hereof; (3) Home for the aged or convalescent home. One for each two beds;

(4) Schools.

A. Elementary or junior high school. One for each teacher or administrator; additional parking required for an auditorium, as described in paragraph (b)(12) hereof;

B. Senior high schools. One for each teacher or administrator and one for each ten students; additional parking required for an auditorium, as described in paragraph (b)(12) hereof;

C. School auditorium. One for each six seats, as measured by the maximum seating capacity in the largest auditorium;

(5) Day CHILD care FACILITY, day nursery or nursery school. One for each employee and one for each ten children, plus three passenger vehicle spaces for loading and unloading of children;

(6) GROUP DAY CARE HOME. ONE EMPLOYEE PARKING SPACE, PLUS THREE PASSENGER VEHICLE SPACES FOR LOADING AND UNLOADING OF CHILDREN, EITHER ON-SITE OR IN LEGAL PARKING AREAS ALONG THE STREET ADJACENT TO THE HOUSE.

(7) Private club, lodge hall, trade association or union hall with an auditorium. One for each three persons allowed within the maximum occupancy load as established by local, County or State fire, building or health codes;

(8) Swimming pool club or similar use. One for each three persons allowed within the maximum occupancy load established by local, County or State fire, building or health codes;

(9) Tennis club or similar use. Six for each court, plus one for each employee;

(10) Golf course, except a miniature or par 3 course. Six for each golf hole and one for each employee;

(11) Fraternity or sorority. One for each five active members or one for each two beds, whichever is greater;

(12) Stadium, sport arena or similar place of outdoor assembly. One for each three seats;

(13) Theater and non school auditorium. One for each three seats, plus one for each two employees; and

(14) Library, museum or noncommercial art gallery. One for every 200 square feet of usable floor area.

(c) Business and Commercial.

(1) Planned commercial or shopping center located in any commercial district. One for each (110) square feet of usable floor area;

(2) Auto wash. One for each employee, plus fifteen for storage of waiting vehicles; for self-serve auto washes, four waiting spaces per wash rack;

(3) Hair stylist shop. Three for each of the first two chairs and one and one-half for each additional chair;

(4) Bowling alley. Five for each bowling lane, plus parking required by this section for any bar, restaurant or assembly space attached to a bowling alley;

(5) Dance hall, pool or billiard parlor, roller or ice skating rink, exhibition hall or assembly hall without fixed seats. One for each three persons allowed within the maximum occupancy load as established by the local, County or State fire, building or health codes;

(6) An establishment selling food consumed either off or on the premises. Fifteen, plus one for every sixty square feet of usable floor area, plus one for each two employees, based upon the maximum employment shift;

(7) An establishment selling food for consumption only on the premises. One for every sixty square feet of usable floor area, plus one for each two employees, based upon the maximum employment shift;

(8) An establishment selling food for consumption only off the premises. Fifteen, plus one for every sixty square feet of usable floor area;

(9) Furniture and appliance establishment; household equipment; repair shop; showroom of a plumber, decorator, electrician or similar trade; clothing or shoe repair shop; commercial laundry; hardware store; machinery sales establishment; or other similar uses. Four for each establishment, plus one space for every 800 square feet of usable floor area;

(10) Motor vehicle service station. Two for each bay, plus three additional spaces;

(11) Motor vehicle repair station. Four for each bay, plus five additional spaces;

(12) Laundromat or coin-operated dry cleaner. One for each two washing or dry cleaning machines;

(13) Miniature or par 3 golf course. Three for each hole, plus one for each employee;

(14) Mortuary establishment. One for each fifty square feet of usable floor space, plus one for each three seats or six linear feet of pews in the chapel;

(15) Motel or hotel. One for each occupancy unit, plus one for each employee in the largest working shift, plus space for a dining room, ballroom or meeting room as required by paragraphs (c)(5) and (7) hereof;

(16) Motor vehicle sales and service establishment. One for each 200 square feet of usable floor space in the salesroom, and two for each auto service stall in the service area;

(17) Open air business establishment other than as described in paragraph (c)(13) or (16) hereof. One for every 500 square feet of lot area used for retail sales or retail use;

(18) Studio, such as dance, health, music or other similar place of instruction. One for every forty square feet of usable floor area;

(19) Drive-in theater. One per each customer vehicle, plus one for each employee. In addition, ten percent of the total vehicular

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capacity computed in this paragraph shall be provided as waiting spaces.

(20) Retail store not specifically listed in this section. One for every 150 square feet of usable floor area;

(d) Office.

(1) Bank. One for every 150 square feet of usable floor area;

(2) Business office or professional office, except as described in paragraph (d)(3) or (4) hereof. One for every 200 square feet of usable floor area;

(3) Drive-in financial institution (bank, savings and loan office, credit union). Waiting space equivalent to six spaces for each drive-in window, in addition to requirements in paragraph (d)(1) hereof;

(4) Professional office of doctor, dentist or similar medical profession; medical center or clinic; outpatient facilities. One for every 150 square feet of usable floor area;

(e) Industrial.

(1) Industrial or research establishment. Five, plus one space for each two employees in the shift which has the greatest number of employees. Space on site shall be provided for all construction workers during periods of plant construction.

(2) Wholesale establishment. Five spaces, plus one space for each employee in the shift which has the greatest number of employees, or one for each 1,700 square feet of usable floor space, whichever is greater.

1294.01 NONCONFORMITY DEFINED; INTENT.

(a) As used in this chapter, "nonconformity" means a use, structure or lot which does not conform with a use or dimensional provision, or any combination of a use or dimensional provision, of this Zoning Code, but which use, structure or lot was lawfully established prior to the effective date of the use or dimensional provision.

(b) CERTAIN PROPERTIES THAT DO NOT CONFORM TO DIMENSIONAL REQUIREMENTS SHALL HAVE CONFORMING STATUS:

(1) ANY STRUCTURE THAT MEETS ALL DIMENSIONAL AND USE REQUIREMENTS (INCLUDING PARKING) EXCEPT FOR SETBACK REQUIREMENTS BECAUSE OF PROPERTY ACQUISITION BY A GOVERNMENTAL ENTITY.

(2) LOTS OF RECORD WITH BUILDINGS ON THEM CONTAINING PERMITTED USES LOCATED IN THE A, B OR C DISTRICTS.

(c) A nonconformity may be continued as described in this chapter.

(d) The intent of this chapter is to:

(1) Regulate a use, structure or lot, or any combination of use, structure or lot, which does not conform to the terms and conditions provided in this chapter; and

(2) Provide flexibility when regulating a nonconformity so as to permit resumption, restoration, reconstruction, extension or substitution of certain types of nonconformities.

1294.02 GROUPS OF NONCONFORMITIES.

For the purpose of this chapter, each nonconformity shall be placed into one of the following groups:

(a) "Group 1 nonconformity" means a use of a lot with no structure, including, but not limited to, mineral extraction, or a use of a lot with minor structures, WITH A TOTAL VALUE OF $5000 OR LESS, which lot does not conform to the use or dimensional provisions, or any combination of the use or dimensional provisions, of this Zoning Code.

"Minor structure" means a structure having a replacement cost of not more than five thousand dollars ($5,000).

(b) "Group 2 nonconformity" means a structure, other than a building, including, but not limited to, a sign, billboard or fence, which structure does not conform to the use or dimensional provisions of this Zoning Code.

(c) "Group 3 nonconformity" means a structure which does not and cannot conform to the use or dimensional provisions, or any combination of the use or dimensional provisions, of this Zoning Code. A Group 3 nonconformity also includes a lot with a building on it, which building does not and cannot conform to the use or dimensional provisions of this Zoning Code, or any combination of the use or dimensional provisions of this Zoning Code.

(d) "Group 4 nonconformity" means a structure or a lot with a building which does not conform, but may be reasonably made to conform, to the use or dimensional provisions, or any combination of the use or dimensional provisions, of this Zoning Code.

1294.04 CRITERIA FOR CLASS A STATUS.

(a) The Planning Board shall, based upon the criteria described in this section, approve, approve with conditions or disapprove a request for Class A status.

(b) A nonconformity which is placed in Group 1 shall not be granted Class A status.

(c) A nonconformity which is placed in Group 2 shall not be granted Class A status.

(d) A nonconformity which is placed in Group 3 may be granted Class A status if the public health, welfare and safety would be served by approving Class A status, except if the following exists:

(1) The request involves a nonresidential use located on a local street AND THE TRANSPORTATION ENGINEER REPORTS A NEGATIVE IMPACT.

(2) The activities associated with the nonconformity generate smoke, odor, air pollution, water pollution, vibration, glare or noise which is more than the level associated with the uses permitted by right in the district in which the nonconformity is located. The Planning Division may require the applicant to provide reliable technical evidence for the purpose of determining the amount of smoke, odor, air pollution, water pollution, vibration, glare or noise which exists on the lot for which Class A status is being sought.

(3) The nonconformity does not meet one or more of the parking requirements designated in Chapter 1284. However, if an applicant provides reliable data to the Planning Division which indicates that peak hour parking demand for the use shall not exceed the number of parking spaces available during the highest intensity of use, then Class A status may be granted. The highest intensity of use shall be determined by the Division.

(e) A nonconformity which is placed in Group 4 shall not be granted Class A status, except if the only provision of this Zoning Code with which the Group 4 nonconformity fails to conform is one or more of the parking requirements designated in Chapter 1284. In this case, if the applicant provides reliable data to the Planning Division, which data indicate that peak hour parking demand for the nonconformity will not exceed the number of parking spaces which exist, then as long as all other parking requirements of Chapter 1284 are met, Class A status may be granted. The highest intensity of use shall be determined by the Division.

1294.06 CLASS A NONCONFORMITY REGULATIONS.

(a) A Class A nonconformity may be restored, reconstructed, extended or substituted as provided in this chapter. THESE ACTIONS MUST IN THE OPINION OF THE PLANNING DIVISION BE WITHIN THE ORIGINAL INTENT OF THE FIRST GRANTED CLASS A; IN ADDITION, THE INTENSITY OF USE MUST NOT

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EXCEED THAT OF THE PREVIOUSLY APPROVED CLASS A. A Class A nonconformity may be resumed as provided for in Section 1294.11.

(b) A Class A nonconformity damaged by fire, explosion, flood, erosion or any other catastrophe may be restored or reconstructed if the cost of restoration or reconstruction is not more than fifty percent of the nonconformity's pre-catastrophe fair market value. If damage is greater than fifty percent, the restoration or reconstruction may be permitted only by the Board of Zoning Appeals.

(c) In the case of a substitution of a Class A nonconformity, Planning Board approval, pursuant to the procedures outlined in Section 1294.05, is required. Planning Board approval may be granted at the discretion of the Board, if the Board determines that the new use is placed within the same group of nonconformities as the former use, as determined under Section 1294.03. In addition, the Board shall determine that the new use is not more intense than the former use.

1294.07 CLASS B NONCONFORMITY REGULATIONS.

(a) Except as provided in this section, a Class B nonconformity shall not be restored, reconstructed, extended, substituted or resumed.

(b) The Planning Board may permit the substitution or restoration of a Class B nonconformity, so long as the cost of substitution or restoration is not more than thirty-five percent of the fair market value of the Class B nonconformity and the effect of the substitution or restoration is not to increase the intensity of the use or the exterior physical dimension of the structure. In no such case shall the cumulative and total substitution or restoration be more than thirty-five percent of the fair market value of the Class B nonconformity. Fair market value shall be calculated on the date the persen first requests a building permit IS REQUESTED TO perform the substitution or restoration.

(c) A Class B nonconformity damaged by fire, explosion, flood, erosion or any other catastrophe may be restored, if the cost of restoration is less than fifty percent of the pre-catastrophe fair market value. A structure damaged more than fifty percent shall not be restored, except in conformity with the provisions of the district in which it is located.

(d) If a Class B nonconformity is damaged by fire, explosion, flood, erosion or any other catastrophe, and if, prior to the damage, the nonconformity would have been placed as a Group 3 or Group 4 nonconformity then a request for Class A status may be filed with the Planning Division, pursuant to the procedures described in Section 1294.05, not more than 365 days after the date of the damage.

(e) In the substitution of use of a Class B nonconformity, Planning Board approval, pursuant to the procedures outlined in Section 1294.05, is required. Planning Board approval may be granted if the Board determines that the new use is within the same group of nonconformities as the former use. In addition, the Board shall determine that the new use is not more intense than the former use.

(f) A Class B nonconformity may be resumed pursuant to Section 1294.11(b).

BY THE COMMITTEE ON GENERAL SERVICES:

BY Councilmember Schmidt

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 860 to exclude from the requirement for City licensing any shows held at the Civic Arena or the Lansing Center be placed on order of immediate passage.

BY Councilmember Schmidt

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 860 to exclude from the requirement for City licensing any shows held at the Civic Arena or the Lansing Center be now passed.

YEAS: Belen, Benavides, Brockwell, Canady, Crawford, Ford, Lindemann, Schmidt

NAYS: None

ABSENT: None

By Councilmember Schmidt:

That this ordinance be given immediate effect

Carried unanimously

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 8, SECTION 860.02 OF CHAPTER 860 OF THE LANSING CODE OF ORDINANCES FOR THE PURPOSE OF EXEMPTING FROM THE REQUIREMENT THAT SHOWS BE LICENSED, ANY SHOWS HELD IN THE LANSING CENTER AND/OR THE LANSING CIVIC ARENA.

The City of Lansing ordains:

Section 1. That Part 8, Chapter 860 of the Code of Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

860.02 LICENSE REQUIRED; APPLICATION; EXCEPTION.

(a) No person shall sponsor, operate, exhibit or perform, or cause to be operated, exhibited or performed, any show in the City without first obtaining a license therefor.

(b) THIS CHAPTER OR ANY OF ITS PROVISIONS SHALL NOT APPLY TO ANY SHOW HELD OR SCHEDULED TO BE HELD IN THE LANSING CENTER AND/OR THE LANSING CIVIC ARENA.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Ordinance given immediate effect

CONSIDERATION OF LATE ITEMS

1/ A resolution regarding barricades for the Baker/Bailey area

(Handled as Resolution #709)

2/ A committee report and resolution regarding the closing of the Vital Records Section of the City Clerk's Office

(Handled under Committee Reports and as Resolution #710)

3/ A letter from the Department of Natural Resources regarding the Clean Michigan Committee Implementation Plan

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REFERRED TO THE AD HOC COMMITTEE ON RECYCLING,
THE COMMITTEE ON WAYS AND MEANS,
THE COMMITTEE ON PUBLIC SERVICES,
THE COMMITTEE ON PHYSICAL DEVELOPMENT,
THE MAYOR AND THE CITY ATTORNEY

4/ Transfer of funds resolution

(Handled as Resolution #711)

5/ Passage of resolution for SLU-14-90, 1419-1421 W. Holmes Road

(Handled as Resolution #712)

PUBLIC MAY COMMENT

Andrew Anthos of Detroit asked Councilmembers for their support of his proposal for lighting of the Capitol dome. Councilmembers stated that this is a matter to be addressed to the State of Michigan and not to the City.

James Derocco of 4815 Donald Street stated, that he felt Councilmembers should listen to Andrew Anthos request and that he was happy to support the lighting of the dome.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor McKane thanked Councilmembers for the passage of the resolution closing the Vital Records Section of the City Clerk's Office. The Mayor mentioned that there will be no City parking enforcement on the 24th, 25th, 31st of December or on January 1st. The Mayor also reviewed the changes that will be necessitated in trash pickup due to the Christmas and New Years holidays.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt asked when the pickup would be made for Christmas trees. Howard McCaffrey responded that they would have a separate pickup from December 26-January 6th and that it is not necessary to affix a City trash, bag to have the trees picked up. Trees that are longer than 6' in length should be cut.

Councilmember Ford wished to extend his thanks to the Mayor and his administration for the support they have given him during his first year on the Council. He also wished to thank the staff of City Council.

BY COUNCIL PRESIDENT BELEN:

Meeting adjourned at 9:55 P.M.

James D. Blair, City Clerk

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